

CITY CHARTER

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CHARTER OF THE CITY OF INDEPENDENCE, MISSOURI

PREAMBLE

We, the people of the City of Independence, Missouri, exercising the powers of home rule granted to us by the Constitution of the State of Missouri, in order to provide for more efficient, adequate, and economical government, do hereby adopt, ratify, and establish this Charter of the City of Independence, Missouri.

ARTICLE 1

INCORPORATION, FORM OF GOVERNMENT, POWERS, PUBLIC ENGAGEMENT

Section 1.1. Incorporation, name and boundaries. The inhabitants of the City of Independence, Missouri, within the corporate limits as now established or as hereafter established, in the manner provided by law, shall continue to be a municipal body politic and corporate in perpetuity, under the name of the "City of Independence,"

Section 1.2. Form of government: Powers. The municipal government provided by this charter shall be known as a "council-manager government." Pursuant to the provisions of the charter and subject only to the limitations imposed by the Constitution and laws of the State of Missouri and this charter, all powers of the city shall be vested in an elective council, hereinafter referred to as "the council," which shall enact local legislation, adopt the budget, determine policies and appoint the city manager, who shall execute the laws and ordinances and administer the government of the city. All powers of the city shall be exercised in the manner prescribed by this charter, or, if the manner is not thus prescribed, then in such manner as the council may prescribe by ordinance.

Section 1.3. Construction. The powers of the city shall be liberally construed. The specific mention of a particular power in this charter shall not be construed as limiting the powers of the city.

Section 1.4. Roles of Public Engagement in Local Government. The city shall treat public engagement as an integral part of effective and trusted governance.

The city shall treat engagement as an endeavor that includes face-to-face meetings, virtual interactions, and other online communications.

The departments of city government shall encourage collaboration in public engagement efforts with other government jurisdictions and authorities, major stakeholders, community-based organizations, civic groups, and individual residents. The departments of city government and city officials shall also identify and proactively reach out to diverse and traditionally marginalized or underrepresented individuals and communities to meet the needs of the city as a whole.

The city shall establish new institutional structures or adapt existing structures to oversee, support, coordinate, track, and measure engagement on an ongoing basis. These structures can include:

- (1) Council committees that include residents and other stakeholders
- (2) Departments or administrative positions
- (3) Public engagement commissions
- (4) Community advisory boards (CAB), including boards designated to address the concerns of specific populations.

ARTICLE 2

THE COUNCIL

Section 2.1. Council: Created, number of councilmembers, terms. There shall be a council, which shall consist of seven (7) members; namely, the mayor, two (2) councilmembers at large, and four (4) district councilmembers. Unless otherwise clearly indicated by the context, the words "councilmember" and "councilmembers" shall include the mayor as well as other councilmembers. The terms of the councilmembers shall be four (4) years.

Section 2.2. Councilmembers: Qualifications. Only registered qualified voters of the city who immediately prior to the election have resided for at least two (2) years in the city or in territory annexed and included within the city, shall be qualified for the offices of the councilmembers. District councilmembers shall also be registered qualified voters of their respective districts at the time of the elections, and shall have been residents thereof or of territory annexed and included therein, for at least one (1) year immediately prior to the election. If any councilmember ceases to reside within the city, the tenure of office of said councilmember shall be terminated thereby. A change in district boundaries or removal from one district to another within the city shall not disqualify a district councilmember from completing their term. A councilmember shall not hold any other office or position of profit in the city government or any office or position by appointment by the city manager or by any subordinate of the city manager. If a councilmember is convicted of a crime involving moral turpitude, the office of that councilmember shall become immediately vacant at the expiration of the period during which that councilmember may appeal or, in case of appeal, when the case is finally determined.

Section 2.3. Council to be judge of qualifications of its members, etc. The council shall be the judge of the charter-required qualifications of its members, and may determine whether any person claiming to be a councilmember is qualified, whether that person is in fact a councilmember or whether that person has ceased to be a councilmember pursuant to the provisions of this charter, as the case may be. Any councilmember or any other registered qualified voter of the city may challenge such person's membership in the council, by filing with the council a written statement, setting forth the reason or reasons why said voter thinks that such person is not qualified to be a member of the

council. If desired by the council, it may provide notice and adequate opportunity for a public hearing, then shall promptly proceed to make a determination thereof. This section shall not interfere with the jurisdiction of courts of competent jurisdiction in such cases. The council shall not have power to impeach its members except as otherwise provided by this section.

Section 2.4. Council a continuing body. The council shall be a continuing body, and no change in the membership thereof shall at any time affect the status of any pending ordinance, resolution, or other matter.

Section 2.5. Mayor. The mayor shall preside at meetings of the council, and shall be recognized as the head of the city government for all legal and ceremonial purposes and by the governor for purposes of military law. As a councilmember the mayor shall have all powers, rights, privileges, duties, and responsibilities of a councilmember, including the right to vote on questions. The mayor shall have no power of veto.

The mayor is hereby authorized to declare the existence of an emergency in the city in accordance with the Revised Statutes of the State of Missouri and may in a proper event suspend hours of business, close certain businesses and take immediate action to preserve the peace, property and safety of its citizens.

Section 2.6. Mayor pro tempore. The council shall elect from among its members a mayor pro tempore who shall act as mayor during the absence or disability of the mayor. The election for mayor pro tempore shall be held biennially at the first regular meeting after the general municipal election day.

Section 2.7. Councilmembers: Absences to terminate membership. If any councilmember shall be absent from more than one-half (1/2) of all the meetings of the council, regular and special, held within any period of six (6) consecutive calendar months, they shall thereupon cease to hold office.

Section 2.8. Councilmembers: Vacancies. Mayor: A vacancy in the office of mayor shall be filled by election at the next regular municipal election established by the Missouri election calendar in accordance with state law, for which timely notice may be given, when a person will be

elected by qualified voters to serve the remainder of the unexpired term. The mayor pro tempore shall assume the powers and duties of the mayor during the absence or disability of the mayor, or if a vacancy occurs.

Councilmember: The council by a majority vote of all its remaining members shall appoint a qualified person, as defined in Section 2.2, to fill a vacancy until the next regular municipal election as established by the Missouri election calendar in accordance with state law, for which timely notice may be given, when a person will be elected by qualified voters to serve the remainder of the unexpired term.

Section 2.9. Mayor and councilmembers: Compensation. Councilmembers shall receive for their services such sum as shall be approved by the affirmative vote of four (4) members of the council from time to time payable in monthly installments. The council, by non-emergency ordinance may alter the compensation of the councilmembers, but such change shall not go into effect until the terms of all of the councilmembers in office at that time have expired.

Section 2.10. Council: Powers. All powers of the city shall be vested in the city council, except as otherwise provided by law or this charter, and the council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the city by law.

Section 2.11. Internal Auditor. There shall be an Internal Auditor, who shall be elected by the sole act of the council upon the affirmative vote of at least four (4) members of the council. The Internal Auditor's duties shall include the investigation of the functions and processes of all departments of the city at the direction of the city council. The Internal Auditor, no less frequently than annually, shall evaluate the efficiency and performance of city functions and facets of the city administration as directed by the audit and finance committee and shall report said findings to the city council.

Section 2.12. City clerk. There shall be a city clerk, who shall be an officer of the city elected by the council for an indefinite term upon the affirmative vote of at least four (4) members of the council. The city clerk shall be a full-time employee of the city and shall serve at the pleasure of the council in an unclassified service category. The council may suspend or remove the city clerk, with or without cause, by the affirmative vote of at least four (4) members of the council.

The city clerk shall serve as clerical officer of the council, shall keep the journal of the proceedings of the council, and shall enroll in a book or books

(physical or electronic), all executed original ordinances and resolutions passed by it in a bound volume (physical or electronic). The city clerk shall be custodian of such documents, records, and archives as may be provided by applicable law or ordinance; shall be custodian of the seal of the city; and shall attest, and affix the seal, to documents when required in accordance with this charter, applicable law or ordinance.

Section 2.13. Other personnel appointed by the council. The council may, upon the affirmative vote of at least four (4) members of the council, in its discretion, hire and retain on a full-time, part-time, or contract basis in an unclassified service category, such other personnel as may be needed by the council to assist the council or individual councilmembers in undertaking their duties. Such personnel shall serve for an indefinite term and may be removed or suspended, with or without cause, by the affirmative vote of at least four (4) members of the council.

Section 2.14. Relation of personnel appointed by the council to the administrative service. Neither the internal auditor, city clerk nor other personnel appointed or elected by the council, shall hold any administrative office or duty in the administrative service which is subject to the control and authority of the city manager; however, the city manager may hold any administrative office or duty which is subject to the city manager's control. The internal auditor and city clerk shall hold no other position of public office or employment. Personnel appointed or elected by the council shall have access to all books and records of all administrative departments in the city and may contact officers and employees of said administrative departments for the purpose of inquiry on matters of concern to the council; however, said persons shall not direct officers and employees in the administrative service in the performance of their duties.

Section 2.15. Council not to interfere with administrative service. Councilmembers shall not direct the appointment of any person to, or their removal from, office or employment by the city manager or by any other authority, or, except as provided in this charter, participate in any manner in the appointment or removal of officers and employees of the city. Councilmembers shall deal with the administrative service solely through the city manager; and no councilmember shall give orders to any subordinate of the city manager either publicly or privately. Notwithstanding, councilmembers may otherwise contact such officers and employees for the purpose of inquiry on matters of concern, but shall not direct such officers and employees in the performance of their administrative duties.

Section 2.16. Council: Meetings. The council shall hold at least two (2) regular meetings every month at such times as it may provide by ordinance, resolution, or rules of the council. The mayor or any four (4) councilmembers may call special meetings. All meetings of the council shall be open to the public and the journal of its proceedings shall be open to public inspection.

Section 2.17. Ordinances: Enacting clause. The enacting clause of all ordinances passed by the council except initiated ordinances, shall be, "Be it ordained by the Council of the City of Independence, Missouri."

Section 2.18. Ordinances: Confined to one subject, exceptions. No ordinance except an appropriation ordinance, an ordinance adopting or embodying an administrative or governmental code, or an ordinance adopting a code of ordinances, shall relate to more than one (1) subject, which shall be clearly stated in its title.

Section 2.19. Ordinances: Re-enacting and amending. No ordinance shall be revived or reenacted by mere reference to its title, but the same shall be set forth at length as if it were an original ordinance. No ordinance or section thereof shall be amended merely by providing that designated words be struck out or that designated words be inserted, but the ordinance or section as amended shall be set forth in full.

Section 2.20. Ordinances: Passage. Every proposed ordinance shall be introduced in the council in writing, and shall be read by title or in full two (2) times. Except in the case of a bill for an emergency ordinance or an appropriation ordinance, not more than one (1) such reading shall be on the same day, and at least seven (7) days shall elapse between the introduction and the final passage. The vote on final passage of every bill shall be by roll call, and the yes and noes shall be entered in the journal.

When passed by the council, an ordinance shall be signed by the presiding officer and be attested to by the city clerk; and it shall be immediately placed in a bound volume (physical or electronic) and preserved in the office of the city clerk.

Section 2.21. Ordinances: When in effect.
(1) The following ordinances shall go into effect immediately upon final passage unless they specify a later time:
(a) any emergency ordinance;
(b) any ordinance calling or authorizing the calling of or otherwise relating to a particular election or providing for or

- relating to submission of a particular proposal to the registered qualified voters;
- (c) any appropriation ordinance or ordinance amending the budget;
- (d) any ordinance relating to a specific contract;
- (e) any ordinance relating to a particular public improvement, levying special assessments, or providing for the issuance of special tax bills;
- (f) any ordinance levying taxes or fixing any tax rate or assessment;
- (g) any ordinance approving a plat; and
- (h) any ordinance authorizing the issuance of notes in anticipation of the receipt of revenues estimated in the budget or in anticipation of the issuance of bonds which have been authorized.

(2) All other ordinances shall go into effect at one (1) minute after twelve midnight (12:01 a.m.) on the eleventh (11th) day after the date of their passage unless a later time therefore be provided therein; however, if prior to 5:00 p.m. on the tenth (10th) day after the passage of any such ordinance there shall be filed with the city clerk a notice signed by not less than one hundred (100) registered qualified voters of the city stating their intention to cause a referendum petition to be circulated to refer it to the voters, such ordinance shall go into effect at one (1) minute after midnight (12:01 a.m.) thirty-one (31) days after its passage unless such ordinance specifies a later time, subject to the referendum as provided in this charter.

Section 2.22. Ordinances: Emergency. An emergency ordinance is an ordinance which in the judgment of the council is necessary for the immediate preservation of the public peace, property, health, safety, or welfare, and which should become effective prior to the time when an ordinary ordinance embracing the subject matter would become effective. Every such ordinance, in a separate section, shall declare the emergency and specify distinctly the facts constituting or the reasons for the emergency. An affirmative vote of at least five (5) members of the council shall be required for the final passage of an emergency ordinance.

Section 2.23. Ordinances: Adoption by reference. The council by ordinance may adopt by reference, with or without modification, standard code of technical regulations, and any and all other matters and subjects which it has power to regulate otherwise, including provisions of law which would not otherwise be applicable to this city and of rules and regulations of administrative authorities. A copy of every such code, ordinance, standard, or regulation, including

provisions of law and any other rules and regulations, so adopted and in effect, shall be kept in the city clerk's office, and shall be open to public inspection.

Section 2.24. Ordinances: Codification. The permanent, general ordinances of the city shall be codified and published as required by state law and shall be posted on the city's website, and updated no less than annually. The ordinances and parts of ordinances included in the code may be revised, rearranged, and reorganized; and the code may contain new matter, provisions of the state constitution and law applicable to the, and this charter. The council by non-emergency ordinance shall adopt the code.

Section 2.25. Independent annual audit. The council, at least six (6) months prior to the end of the fiscal year, shall designate a certified public accountant or accountants experienced in municipal auditing, who shall make an independent audit of the accounts and evidences of financial transactions of the department of finance and of all other departments, offices, and agencies keeping separate or subordinate accounts or making financial transactions, as of

the end of every fiscal year, and who shall report to the council and to the city manager. Such audit shall be completed within ninety (90) days after the close of the fiscal year. A copy of the report shall be kept in the city clerk's office, and shall be open to public inspection. Such accountant (or accountants) shall have no personal interest, direct or indirect, in the fiscal affairs of the city government or of any of its officers. The internal auditor shall be prohibited from performing this independent annual audit.

Section 2.26. Annual evaluation by council. The council, no less frequently than annually, shall evaluate the efficiency, performance, goals, and objectives of city functions and facets of the city administration and shall make public those evaluations.

Section 2.27. Sale of public utilities. Prior to the sale of a public utility, the council by ordinance shall call for an election of the registered voters of the city to determine whether the city shall sell such public utility.

ARTICLE 3

CITY MANAGER AND PERSONNEL

Section 3.1. City manager: Office created, appointment, term, qualifications, compensation, removal. There shall be an officer of the city who shall have the title of city manager. The council shall appoint the city manager for an indefinite term by the affirmative vote of at least five (5) members of the council. The city manager shall be appointed solely on the basis of the individual's executive and administrative qualifications with special reference to knowledge of, and experience in, municipal administration. At the time of appointment, the city manager need not be a resident of the city or state; but, during their tenure of office, the city manager shall reside within the city. Councilmembers may not be appointed city manager or acting city manager during their term of office nor within two (2) years after the expiration of their term.

The council shall fix the compensation of the city manager.

The council may suspend or remove the city manager, with or without cause, by the affirmative vote of at least four (4) members of the council. In case the council determines to remove the city manager, the city manager shall be so notified in writing and they may, in writing filed with the city clerk within ten (10) days after receipt of said notice, demand and shall receive a written statement of the reasons for such removal and a hearing thereon at a public meeting of the council prior to the date on which their final removal shall take effect; but, pending and during such hearing, the council may suspend him/her from office. The action of the council in suspending or removing the city manager shall be final and not subject to review.

Section 3.2. Acting city manager. The city manager may designate by letter filed with the city clerk a qualified administrative officer of the city to be acting city manager during their temporary absence or disability; or, if the city manager fails to do so, the council may appoint an acting city manager to serve during such time. If the council suspends the city manager or if there is a vacancy in the office of city manager, the council may appoint an acting city manager to serve until the suspension ceases or until another city manager is appointed and qualifies. The council may suspend or remove an acting city manager at any time.

Section 3.3. City manager: Powers and duties.

The city manager shall be chief administrative officer and head of the administrative branch of the city government. The city manager shall execute the laws and ordinances and administer the government of the city, and shall be responsible therefore to the council. The city manager shall:

- (1) Appoint, and when deemed necessary for the good of the service, lay off, suspend, demote, or remove all directors, or heads, of administrative departments and all other administrative officers and employees of the city subject, however, to the appellate procedures as provided by this Article and except as the city manager may authorize the head of a department, an officer, or an agency to exercise such powers respecting subordinates in such department, office, or agency;
- (2) Supervise and control, directly or indirectly, all administrative departments, agencies, officers, and employees of the city;
- (3) Prepare a budget annually and submit it to the council, be responsible for the administration of the budget after it goes into effect, and recommend to the council any changes in the budget which he/she deems desirable;
- (4) Submit to the council a complete report as of the end of the fiscal year on the finances and administrative activities of the city for the preceding year;
- (5) Keep the council advised of the financial condition and future needs of the city, and make such recommendations on matters of policy and other matters to the council as may seem to him/her desirable;
- (6) Have such other powers and duties as this charter provides, and such powers and duties consistent with this charter as the council may provide.

Section 3.4. Administrative Departments.

- (a) **Creation of Departments.** The city council may establish city departments, offices, or agencies in addition to those created by this charter and may prescribe the functions of all departments, offices, and agencies. No function assigned by this charter to a particular department, office, or agency may be discontinued or, unless this charter specifically so provides, assigned to any other.
- (b) **Direction by City Manager.** All departments, offices, and agencies under the direction and

supervision of the city manager shall be administered by an officer appointed by and subject to the direction and supervision of the manager. With the consent of council, the city

manager may serve as the head of one or more such departments, offices, or agencies or may appoint one person as the head of two or more of them.

Police Department

Section 3.5. Police department: Created, chief of police. There shall be a police department, the director of which shall be the chief of police.

Section 3.6. Police department: Powers and duties. The police department, in accordance with and subject to the law and ordinances, shall preserve peace and order, enforce the law and ordinances, prevent and suppress crime, detect and apprehend violators of all laws and ordinances, and perform such other duties relating to public peace, order, and safety as the council shall provide. The chief of police and every member of the police department shall be conservators of the peace, and shall have power to arrest, or cause to be arrested, with or without process, any person whom they see violating, or whom they have reasonable grounds to

Section 3.9. Merit system—Appointments, removals, etc.. A merit system is hereby established for personnel in the classified service. Appointments and promotions in the classified service of the city shall be made solely on the basis of merit and fitness; and removals, demotions, suspensions, and layoffs shall be made solely for the good of the service. The merit and fitness of persons appointed or promoted in the classified service shall be ascertained insofar as practicable by competitive examinations.

Section 3.10. Personnel board: Created, membership. There shall be a personnel board, which shall consist of five (5) members appointed by the council for four (4)-year terms which shall overlap based upon the expiration dates of the terms of original appointment.

Section 3.11. Personnel board: Powers and duties. The personnel board shall:

- (1) Advise the council and the city manager on matters relating to personnel administration;
- (2) Make any investigation or study which it may deem desirable concerning personnel policy and administration, and report to the council its findings, conclusions, and recommendations at least once every year;
- (3) Hear appeals of all non-probationary officers and employees in a classified service category after layoff, suspension without pay for more than ten (10) days, or demotion, and prior to removal of said officers and employees; and report its findings and

believe has violated, any law of the state or ordinance of the city.

Fire Department

Section 3.7. Fire department: Created, fire chief. There shall be a fire department, the director of which shall be the fire chief.

Section 3.8. Fire department: Powers and duties. The fire department, in accordance with and subject to the law and ordinances, shall protect life and property from fire and explosion, inspect property and places for fire and explosion hazards, enforce the law and ordinances relating to safety from fire and explosion, and prevent and suppress fires and explosions.

Personnel

recommendations in writing to the city manager, and to any authority, other than the city manager, having power of removal; and notwithstanding any law or provisions to the contrary, such findings and recommendations shall be final upon all such appeals and not be subject to further appeal to any person, administrative or legislative body, nor subject to administrative review by any court;

(4) Hear any officer, employee, or member of a board or commission of the city in an unclassified service category, except for the city manager, municipal judges, and councilmembers, after their discharge from employment, and report its findings and recommendations in writing to the respective authorities having power of removal; and the authorities having power of removal shall then make a decision, in writing, regarding that person's discharge from employment; and, further, said decision shall be final and not subject to appeal to any person, administrative or legislative body, nor subject to administrative review by any court;

(5) Have power to subpoena witnesses to testify and to compel the production of documents and other effects as evidence; and, through its chairperson, have power to administer oaths and affirmations; and

(6) Have such other powers and duties relating to personnel administration as may be provided by this charter, by ordinance, or by personnel rules.

Section 3.12. Unclassified and classified service categories. All officers and employees of

the city shall be divided into the unclassified and classified service.

(1) The following shall constitute the unclassified service:

- (a) Councilmembers, the city clerk, the internal auditor, and such other personnel as may be elected or appointed by the council.
- (b) The municipal judge or judges, and the clerk of the municipal court;
- (c) The city manager, and assistant city manager(s), if any;
- (d) The directors of all administrative departments
- (e) Members of each board, commission, or other plural authority;
- (f) All personnel who serve without compensation; and
- (g) Persons appointed or employed on a temporary basis to make or conduct a special audit, inquiry, investigation, study, examination, or installation, or to perform a temporary service subject to such exceptions, limitations, and

regulations, as the personnel rules may provide.

(2) All other officers and employees shall be in the classified service.

Section 3.13. Inclusion of unclassified personnel in the classification system and pay plan. Nothing in this charter shall prohibit including unclassified personnel in the classification system and in the pay plan with the classified personnel.

Section 3.14. Personnel rules. The council, by motion or resolution, shall adopt and may change personnel rules consistent with this charter and the ordinances of the city. Such personnel rules shall further regulate the merit system and personnel matters, and provide for proper personnel administration. The city manager and the personnel board shall have the right to make recommendations or to be heard on the personnel rules and any changes therein before the council adopts them.

ARTICLE 4

MUNICIPAL COURT

Section 4.1. Municipal Court: Created, judge or judges. There shall be a municipal court with a municipal judge, who shall be a duly licensed attorney of the State of Missouri; provided that the council by ordinance may add one (1) or more other municipal judges having like qualifications, may provide appropriate titles therefore, and may establish divisions within the general jurisdiction of the municipal court. The mayor shall appoint and the city council shall approve the municipal judge or, in case there are more than one (1), each municipal judge, and shall fill vacancies in the office of a municipal judge, both in the following manner: By appointing one (1) of three (3) persons possessing the qualifications for such office, who shall be nominated and whose names shall be submitted to the mayor by a nonpartisan city judicial commission. The mayor shall make such appointment within fourteen (14) days after receiving the nominations from the commission.

The city judicial commission shall consist of five (5) members, one (1) of whom shall be a councilmember other than the mayor appointed by the council by a vote of at least four (4) members, and who shall be chairperson of the commission. The members of the bar of the State of Missouri residing in the City of Independence shall elect two (2) of their number to serve as members of the commission and the city manager shall appoint two (2) registered qualified voters of the City of Independence, not members of the bar, to serve as members of the commission. The terms of their original appointment shall be four (4) years; thereafter the members of the commission shall be elected or appointed for four (4)-year terms. No member of the commission other than the chairperson shall hold any other public office or position, and no member shall hold any official position in a political party. For terms commencing after enactment of this provision, no person shall serve more than two (2) terms on the commission. The commission may act only by the concurrence of a majority of its members.

Each judge appointed hereunder shall hold office until June 30th in the year in which the term for that respective division expires. In the event that the city council shall establish more than one division of the municipal court, the terms of the divisions shall end on June 30th of different years insofar as possible. Should the terms of more than one (1) division end at the same time by reason of prior charter provisions or ordinance, then the city council shall, at the end of the existing terms designate terms shorter than four (4) years for the

next term of one (1) or more division so that thereafter the terms for the various divisions shall not be concurrent. At the end of their term, a judge may be reappointed by the city council without initiating the nomination process.

A municipal judge may be removed at any time by the affirmative vote for removal of four (4) members of the council, but only for cause, after a hearing before the council. In the event of the temporary absence, disability, disqualification, or suspension of a municipal judge, or of a vacancy in the office of a municipal judge, the mayor shall have the power to appoint a municipal judge pro tempore to serve during such absence, disability, disqualification, or suspension, or until the vacancy is filled as the case may be; however, no such appointment shall exceed one hundred and eighty (180) days in duration. The mayor may remove a municipal judge pro tempore at any time. A municipal judge shall devote adequate time to the duties of the office.

Section 4.2. Municipal court: Jurisdiction and powers. The municipal court shall have jurisdiction of all cases involving violations of the provisions of the ordinances of the city and power to assess punishment as therein provided, and such other jurisdiction as may be conferred by law or ordinance. Appeals may be taken by either party to the circuit court in like manner as provided by law for appeals from circuit court in Jackson County, Missouri, in criminal cases; but the city shall not be required to furnish security for any bond on appeals, nor shall there be any appeal from a judgment on a plea of guilty. The municipal court may punish contempts of court in like manner and to the same extent as is authorized by law or rule for the circuit court of Jackson County, Missouri, and may include confinement in jail as punishment; may enforce its process, orders, and judgments in the same manner as the circuit court of Jackson County, Missouri, may issue warrants of arrest; may issue search warrants or warrants for search and seizure as authorized by law for circuit judges, directed to the chief of police or other members of the police department, upon application of the city counselor or city prosecutor; may summon and compel the attendance and recognizance or cash bond of witnesses and the production of books, papers, documents, other documentary evidence not privileged by law, and other effects as evidence; may administer oaths and affirmations; may summon and compel the attendance of jurors, who shall be selected in the same manner as jurors in circuit court; may pass

upon the competence, relevance, and the admissibility of evidence; may adjudge and require the abatement of nuisances as defined by law or ordinance, and declare the costs of such abatement to be alien upon the premises concerned and subject to sale as provided by law or ordinance; and may render final judgment on any forfeited bond or recognizance returnable to such court; and have such other powers and duties as may be provided by law or ordinance.

The municipal judge shall, upon convictions, fix the amount of fine or imprisonment, or both, and costs within the limits provided by the charter or ordinance, and shall have power to grant stays of execution and bench paroles, to suspend sentence and to place defendants on probation.

Section 4.3. Marshal and clerk. The chief of police and other members of the police department shall serve as marshal and deputy marshals of the municipal court, and shall have power to serve and execute all warrants, subpoenas, writs, or other process directed to them as provided by law or ordinance at any place within the limits of the county.

There shall be a clerk of the municipal court appointed by the municipal court. The clerk shall

have the power to administer oaths and affirmations and to issue warrants upon proper complaint. The clerk shall not be a member of the police department or hold any other public office or employment.

Section 4.4. Place of holding court. The city shall provide a suitable place for holding court, together with such offices and chambers as may be necessary. Although such place for holding court, offices and chambers may be in the same building as the police department, they shall be removed from the police department.

Section 4.5. City council authority to transfer functions of municipal court. The city council shall have the authority, following a public hearing and upon an affirmative vote of at least five (5) members of the council, to transfer the functions of the municipal court to the circuit court of Jackson County, Missouri. In the case of a transfer of municipal court functions, the city shall retain its own city prosecutor and any requirements in this article inconsistent with said transfer shall be waived.

ARTICLE 5

CONFLICTS OF INTEREST AND BOARD OF ETHICS

Section 5.1. Function of local government.

Councilmembers, board members, and employees shall accept the fundamental principle that the sole function of local government is the efficient provision of facilities and services deemed essential for the kind of urban living desired by the resident population.

(1) Councilmembers, board members, and employees are agents of public purpose and shall hold office or employment for the benefit of the public.

(2) Councilmembers, board members, and employees, recognizing that the public interest is their primary concern, shall faithfully discharge their official duties regardless of personal considerations.

Section 5.2. Conflicts of Interest. The use of public office for private gain is prohibited. The city council shall implement this prohibition by ordinance, the terms of which shall include, but not be limited to: acting in an official capacity on matters in which the official has a private financial interest clearly separate from that of the general public; the acceptance of gifts and other things of value; acting in a private capacity on matters dealt with as a public official; the use of confidential information; and appearances by city officials before other city agencies on behalf of private interests. This ordinance shall include a statement of purpose and shall provide for reasonable public disclosure of finances by officials with major decision-making authority over monetary expenditures and contractual and regulatory

matters and, insofar as permissible under state law, shall provide for fines and imprisonment for violations.

Section 5.3. Board of Ethics. The city council shall, by ordinance, establish an independent board of ethics to administer the conflict of interest and financial disclosure ordinances. No member of the board may hold elective or appointed office under the city or any other government or hold any political party office. Insofar as possible under state law, the city council shall authorize the board to issue binding advisory opinions, conduct investigations on its own initiative and on referral or complaint from officials or resident, subpoena witnesses and documents, refer cases for prosecution, and to hire independent counsel. The city council shall appropriate sufficient funds to the board of ethics to enable it to perform the duties assigned to it. The board of ethics shall report its budget to the audit and finance committee of the city council no less than annually.

Section 5.4. Code of Ethics. The city council, by ordinance, shall adopt a code of ethics which shall be binding upon all city officials and employees, and shall appropriate sufficient funds for its enforcement. The code of ethics may be updated from time to time as deemed necessary by the council.

ARTICLE 6

NOMINATIONS AND ELECTIONS

Section 6.1. Charter and law to govern elections—Further regulation by ordinance.

All city elections, general, special and primary, shall be governed by the provisions of this charter and of law applicable thereto. The council by ordinance may further regulate elections, subject to the said provisions of the charter and of law. If a change in law renders any provision of the charter relating to elections invalid or inapplicable, the council by ordinance may take such action as may be made necessary or desirable by such change.

Section 6.2. Biennial elections—Elected at large and by district—Terms.

The city shall hold a primary election, except where otherwise provided in this charter, biennially in every even numbered year, on the first (1st) Tuesday after the first (1st) Monday in February, and a general election on the first (1st) Tuesday after the first (1st) Monday of April. The officers to be elected by the registered qualified voters of the city in separate biennial elections shall be the mayor and two (2) councilmembers at large (by the voters of the entire city), and in the succeeding biennial election, four (4) district councilmembers (by the voters of their respective districts).

A primary election shall be held on the first (1st) Tuesday after the first (1st) Monday in February of 1980 and of every fourth (4th) year thereafter to nominate the candidates for councilmember from each of the four (4) districts of the city as the districts may be constituted hereafter by ordinance. The two (2) candidates who receive the highest number of votes for each district council position at the primary election will be certified to run in the general election to be held on the first (1st) Tuesday in April of 1980 and of every fourth (4th) year thereafter to elect the district councilmembers. The candidate in each district receiving the majority of votes in the general election shall be elected councilmember for that district.

A primary election shall be held on the first Tuesday after the first (1st) Monday in February of 1982 and of every fourth (4th) year thereafter to nominate the candidates for mayor and two (2) councilmembers at large. The two (2) candidates who receive the highest number of votes for mayor and the four (4) candidates who receive the highest number of votes for at large councilmembers at the primary election will be certified to run in the general election to be held on

the first (1st) Tuesday in April of 1982 and every fourth (4th) year thereafter to elect a mayor and two (2) councilmembers at large. The candidate receiving the majority of votes at the general election shall be elected mayor and the two (2) candidates receiving the greatest number of votes shall be elected councilmembers at large, respectively.

The terms of the councilmembers shall be four (4) years, and shall begin on the second (2nd) Monday after the first (1st) Tuesday of April in the respective years in which they are elected. The mayor elect or a councilmember elect must be sworn in and seated within one (1) month of certification of the election or their office shall become vacant and the vacancy shall be filled as other vacancies are filled.

Section 6.3. Districts. There shall be four (4) council districts, bounded and numbered the same as the wards that exist at the time of adoption of this charter. District boundaries shall be established by ordinance following each decennial census. Districts shall comprise compact and contiguous territory and shall contain, as nearly as possible, an equal number of inhabitants.

The council shall first cause the city to be divided into two (2) sections by a line, either generally north-south or east-west, which so far as practicable, shall run along the center lines of streets and other public highways and which shall be so located that the population in either of said sections at the time of redistricting shall be as nearly equal in population as is practicable. One of said sections shall then be divided into two (2) districts by a line which, so far as practicable, shall run generally at right angles to the original line, along the center lines of streets and other public highways, and which shall be so located that the population in either of the districts at the time of the redistricting shall be as nearly equal as is practicable. The other section shall then be divided into two (2) districts in like manner. The council shall number these districts and shall adopt them by ordinance.

These districts shall constitute the new districts for the purpose of electing district councilmembers.

When territory is annexed to the city, the council shall promptly attach it to an existing district or

districts, or shall revise the districts as provided hereinabove.

Section 6.4. To serve until successors are elected and qualify. Councilmembers shall serve until their respective successors are elected and qualify. If only one (1) councilmember at large is elected at an election, then the council shall vote to determine which of the two (2) councilmembers at large whose terms are expiring shall continue to serve; provided that, if there is only one (1) councilmember at large at that time, they shall continue to serve.

Section 6.5. Nonpartisan official election ballots and nominating petitions. The election of councilmembers shall be nonpartisan in that no partisan political wording, symbols, or emblems shall appear on the official election ballots or on nominating petitions.

Section 6.6. Nominations for primary election to be made by petitions.

1) Nomination of a candidate for the primary election for the office any councilmember shall be by petition signed, in the case of the mayor or a councilmember at large, by at least two hundred and fifty (250) registered qualified voters of the city, and in the case of a district councilmember, by at least one hundred (100) registered qualified voters of the respective districts. Not more than one (1) candidate for office may be nominated by the same petition. Each signer of a petition shall designate their residence by street and number or by other description sufficient to identify their place of residence. Petitions shall be circulated only by registered qualified voters of the city or of the district, as the case may be. The Nominating Petition, Affidavit of Circulator, and Acceptance of Candidacy forms shall be provided by the city clerk.

2) The signatures on a nominating petition need not all be appended to one (1) paper, but each separate paper shall have a statement setting forth the election date, the office to be filled, and the name and residence of the candidate on whose behalf the petition is being filed. In addition, there shall be attached to each such paper, an affidavit of the circulator thereof stating the number of signatures on such paper, that each signature appended thereto was made in the circulator's presence and is the genuine signature of the person whose name it purports to be, and that the circulator believes each such signer to be a registered qualified voter of the city or of the district as the case may be.

3) All separate papers comprising a nominating petition shall be assembled and filed by a registered qualified voter of the city or district, as the case may be, with the city clerk as one (1)

instrument, no earlier than 8:00 a.m. on the seventeenth (17th) Tuesday prior to the election and ending at 5:00 p.m. on the fourteenth (14th) Tuesday prior to the general election. If either date falls on a city, state, or federal holiday, such date shall be the next day that is not a city, state, or federal holiday. The city clerk shall record on the petition the exact time when it was filed, shall promptly certify in writing whether the petition is in proper form, and, if in proper form, shall immediately forward the petition to the board of election commissioners. A nominating petition shall not be accepted for filing unless it is accompanied by a statement indicating the person's acceptance of the placement of their name in nomination signed and sworn (or affirmed) by the candidate.

4) It is understood that within fifteen (15) days after receiving a nominating petition the board of election commissioners shall notify the city clerk, and the city clerk shall immediately notify the candidate and the person who filed the petition, whether or not it is found to be sufficient. If a petition is found insufficient, the city clerk shall return it immediately, in person or by registered, certified, or similar special mail, to the person who filed it, with a statement certifying wherein the petition is found insufficient. Within the regular time for filing petitions, the same petition duly supplemented or a new petition may be filed for the same candidate. The petition of each candidate seeking to be nominated shall be preserved until the expiration of the term of office for which he/she has been nominated as herein provided.

5) Write-in candidates: Write-in candidates are required to have filed a declaration of intent to be a write-in candidate for election to office with the city clerk prior to 5:00 p.m. on the second (2nd) Friday immediately preceding the election day.

Section 6.7. Primary election—Exceptions. Where there are no more than two (2) candidates successfully completing the petitioning process for the nomination for an office no primary shall be held for that office.

Section 6.8. Withdrawal. Any candidate for whom a nominating petition is filed, may withdraw as a candidate by filing with the city clerk, not more than five (5) days after the filing deadline, a statement of withdrawal duly signed and acknowledged by said candidate before some person authorized to administer oaths and affirmations. The city clerk shall immediately notify the board of election commissioners of such withdrawal. The name of such person complying herewith shall not appear on the ballot. There shall be no provision for withdrawal of a successful primary candidate before the general election.

Should death, adjudication of incompetency, or any other disqualifying condition occur to any successful primary candidate between the primary and the general election there shall be no reopening of the election and the qualified candidate with the greatest number of votes shall be declared the winner.

Should death, adjudication of incompetency, or any other disqualifying condition occur between the end of the withdrawal period and the general election to a candidate for an office in which the candidate is the only candidate a vacancy shall exist on the general election ballot to be filled in the manner provided in which vacancies are filled.

Section 6.9. Order of names on ballots.

The order of names on the ballot for candidates who file a nominating petition with the city clerk prior to 5:00 p.m. on the first (1st) day of filing, shall be determined by random drawing. The drawing shall be conducted so that each candidate, or candidate's representative as provided by State Statutes, shall draw a number at random at the time of filing. The city clerk shall record the number drawn with the candidate's nominating petition. The names of candidates filing prior to 5:00 p.m. on the first (1st) day of filing for each office on each ballot shall be listed in ascending order of the numbers drawn. Any candidate filing after 5:00 p.m. on the first (1st) day shall be placed on the ballot in the order received by the city clerk. At least one (1) notice of election shall be published as required by state law and shall be posted on the city's website, which notice shall contain the names of candidates to be elected.

Section 6.10. Voting at primary election—Who nominated. On the ballots, above the names of the candidates at the primary election for the office of mayor, shall appear the instruction "Vote for one (1)"; every registered qualified voter of the city shall be entitled to vote for one (1) candidate; and the two (2) candidates receiving the greatest number of votes shall be nominated.

On the ballots, above the names of the candidates for the offices of councilmembers at large, shall appear the instructions "Vote for two (2)"; every registered qualified voter of the city shall be entitled to vote for two (2) candidates; and the four (4) candidates receiving the greatest number of votes shall be nominated.

On the ballots above the names of the candidates for the office of district councilmember in each district, shall appear the instruction "Vote for one (1)"; every registered qualified voter of the district shall be entitled to vote for one (1) candidate; and the two (2) candidates receiving the greatest number of votes shall be nominated.

Section 6.11. Voting at general election—Who elected. On the ballots, above the names of the candidates at the general election for the office of mayor, shall appear the instruction "Vote for one (1)"; every registered qualified voter of the city shall be entitled to vote for one (1) candidate; and the candidate receiving the greatest number of votes shall be elected.

On the ballots, above the names of the candidates for the offices of councilmembers at large, shall appear the instructions "Vote for two (2)"; every registered qualified voter of the city shall be entitled to vote for two (2) candidates; and the two (2) candidates receiving the greatest number of votes shall be elected.

On the ballots above the names of the candidates for the office of district councilmember in each district, shall appear the instruction "Vote for one (1)"; every registered qualified voter of the district shall be entitled to vote for one (1) candidate; and the candidate receiving the greatest number of votes shall be elected.

Section 6.12. Canvassing returns at primary election—Certifying results. Not later than the second Tuesday after the election, the verification board shall issue a statement announcing the results of the election, and the results shall be certified by the board of election commissioners to the city clerk. The city clerk shall immediately issue election certificates to all persons elected to office and certify the results on all questions submitted at the election.

Section 6.13. Canvassing returns at general election – Certifying results. Not later than the second Tuesday after the election, the verification board shall issue a statement announcing the results of the election, and the results shall be certified by the board of election commissioners to the city clerk. The city clerk shall immediately issue election certificates to all persons elected to office and certify the results on all questions submitted at the election.

Section 6.14. Tie votes. In case of failure to elect the mayor or a councilmember because of a tie, the election shall be determined fairly by drawing of straws from among the candidates tying with the greatest number of votes, by the council in a public meeting. At least two (2) days' notice of the drawing of straws shall be given to said candidates tying, by service or by mail.

Section 6.15. Special elections—Submission of proposals at elections. The council may order special elections, fix the time thereof, and provide for holding the same and may submit proposals at elections, general and special. Nothing in this

charter shall prohibit holding a city election on the same day and by the same election personnel as a state or other public election, or submitting a city proposal at such election.

Section 6.16. Effect of delinquencies or warrants on nomination. Any person who files as a candidate for a city election shall be disqualified from participation in the election for which the candidate has filed if such person has unresolved municipal warrants, is delinquent in the payment of any state income taxes, personal property taxes, municipal taxes or other municipal fees, or real property taxes on the place of

residence as stated on the nominating petition, or any properties owned by such person, or if the person is a past or present corporate officer of any fee office that owes any taxes to the state.

Each potential candidate for a city election to a public office shall file an affidavit with the department of revenue and include a copy of the affidavit with the acceptance of nomination required under this Article.

ARTICLE 7

INITIATIVE, REFERENDUM, AND RECALL

Section 7.1. Initiative: Authorization, exceptions, enacting clause. The registered qualified voters of the city, by the initiative, shall have power to propose and adopt any ordinance which the council has power to enact under this charter except an ordinance appropriating money or levying taxes, an ordinance regulating compensation or days and hours of work of city personnel, and an ordinance granting, extending, renewing, or amending a franchise for a public utility. The enacting clause of every initiated ordinance shall be: "Be it ordained by the People of the City of Independence, Missouri."

Section 7.2. Referendum: Authorization, exceptions. The registered qualified voters of the city, by the referendum, shall have power to reject any ordinance passed by the council except an ordinance which, in accordance with Article 2 of this charter, goes into effect immediately upon final passage by the council unless it specifies a later time; however, if prior to 5:00 p.m. on the tenth (10th) day after the passage of any such ordinance there be filed with the city clerk a notice of intention to cause a referendum petition that has been signed by not less than one hundred (100) registered qualified voters of the city stating their intention to cause a referendum petition to be circulated to refer it to the voters, but a referendum petition is not filed within thirty (30) days after passage of the ordinance, such ordinance shall go into effect at one (1) minute after twelve (12) midnight (12:01 a.m.) thirty-one (31) days after its passage unless it specifies a later time, subject to the referendum as provided in this charter.

In addition, the referendum process shall not apply to any ordinance related to existing contracts the city is party to, including collective bargaining agreements or other contracts between the city and its officers and employees, related to the budget or capital program, or any ordinance relating to appropriations of money, levy of taxes, zoning, or salaries of the city officers or employees.

Section 7.3. Initiative and referendum petitions: Content, circulation, filing. An initiative petition shall contain the complete text of the ordinance initiated, and a referendum petition shall contain the complete text of the ordinance sought to be referred.

A copy of an initiative or referendum petition shall be filed with the city clerk before copies are

circulated for signatures; and the city clerk shall note thereon the exact time of filing. The city clerk shall also promptly certify in writing whether the petition is in proper form.

Only registered qualified voters of the city may circulate copies of petitions. Each signer of a petition shall designate their residence by street and number or by other description sufficient to identify their place of residence.

An initiative petition shall be signed by a number of registered qualified voters of the city equal at least to five (5) percent of the total number of qualified voters registered at the time of the last general city election. A referendum petition shall be signed by a number of registered qualified voters of the city equal at least to five (5) percent of the total number of qualified voters registered at the time of the last general city election.

An initiative petition with signatures must be filed with the city clerk within thirty (30) days after the city clerk certifies that it is in proper form. A notice of intention to cause a referendum petition to be circulated must be filed with the city clerk within ten (10) days after passage of the ordinance sought to be referred, as provided in Article 2 of this charter; and the referendum petition with signatures must be filed with the city clerk within thirty (30) days after passage of the ordinance. Each copy of an initiative or a referendum petition filed must bear an affidavit signed by the registered qualified voter who circulated the copy stating that each signature appended thereto was made in the circulator's presence, that the circulator believes that each signature appended thereto is the genuine signature of the person whose name it purports to be, and that the circulator believes each such signer to be a registered qualified voter of the city; and the circulator shall designate after their signature their residence by street and number or by other description sufficient to identify their place of residence. All copies of a petition must be assembled and filed with the city clerk as a single instrument by a registered qualified voter of the city.

The city clerk shall record on an initiative or referendum petition with signatures the exact time when it is filed, and shall immediately forward it to the board of election commissioners.

When a referendum petition with signatures is thus filed with the city clerk, the ordinance sought to be referred shall not go into effect until the petition as originally filed or, if amended, as amended, is found to be insufficient by the board of election commissioners and so certified by the city clerk, the city council repeals the ordinance; or, in case the petition is found to be sufficient, until the registered qualified voters adopt the ordinance as provided below in this article. The city clerk shall not certify that a petition is insufficient until the time during which it may be amended has expired or, if amended, until the board has found the amended petition insufficient.

Section 7.4. Initiative and referendum petitions: Examination and certification. Within thirty (30) days after an initiative or referendum petition is filed with the city clerk, the board of election commissioners shall examine the petition and ascertain whether it has sufficient signatures, and shall certify its findings to the city clerk. If the board certifies that the number of signatures is insufficient, the city clerk, by service or by registered, certified, or similar special mail, shall immediately notify the person filing the petition of the board's findings. If the board certifies that the number of signatures is sufficient, the city clerk shall notify the council at its next regular meeting of the findings of the board.

Section 7.5. Initiative and referendum petitions: Amendment. If the number of signatures on a petition is found to be insufficient, the person filing the petition may amend it, within ten (10) days after the notice was given or mailed to such person, by filing additional copies of the petition with more signatures, executed and filed as provided in the case of the original petition. Within ten (10) days after the amendment is filed with the city clerk, the board of election commissioners shall examine the amended petition and ascertain whether it has a sufficient number of signatures, and shall again certify its findings to the city clerk, who shall notify the council at its next regular meeting of the findings. If the number of signatures is found to be still insufficient, the city clerk shall notify the person filing the petition thereof, and the petition shall be void and of no effect.

Section 7.6. Initiated and referred ordinances: Passage or repeal, or submission by council. Within thirty (30) days after receiving notification from the city clerk that an initiative or referendum petition is sufficient, the council shall pass the initiated ordinance as proposed by the initiative petition or pass an ordinance repealing the ordinance sought to be referred, as the case may be; or shall submit the initiated ordinance or the ordinance sought to be referred to the registered qualified voters of the city at an election

which shall be held at the next legally available election, subject to the deadlines as described herein.

Section 7.7. Initiated and referred ordinances: Ballot title, ballot. The city counselor shall prepare the ballot title for an initiated or referred ordinance. The ballot title shall be a clear, concise statement, without argument or prejudice, descriptive of the substance of the ordinance.

Section 7.8. Initiated and referred ordinances: Adoption or rejection, effect. If a majority of the registered qualified voters voting on an initiated or referred ordinance shall vote in favor thereof, it shall thereupon be adopted, and shall go into effect when the results of the vote are certified by the board of elections commissioners and referred to the city clerk, unless the ordinance provides a later time; otherwise the ordinance shall be rejected.

An ordinance amending or repealing an initiated ordinance thus adopted may not be enacted by the council within one (1) year after the election at which it was adopted except by unanimous vote of the council. An ordinance re-enacting an ordinance rejected by referendum may not be enacted by the council within one (1) year after the election at which it was rejected except by unanimous vote of the council.

If two (2) or more initiated or referred ordinances which have conflicting provisions are adopted at the same election, the one receiving the greatest number of affirmative votes shall prevail.

The vote on an initiated or referred ordinance shall not be set aside because of any defect in the petition.

Section 7.9. Recall: Authorization, petition. The incumbent of any elective city office, including a person chosen to fill a vacancy in any such office, may be recalled from office by the registered voters qualified to vote for a successor to the incumbent, in the manner provided herein.

A petition demanding the recall of such officer shall contain a general statement of the grounds for recall. Before the petition is circulated, a copy of it shall be filed with the city clerk; and the city clerk shall note thereon the exact time of filing. The city clerk shall also promptly certify in writing whether the petition is in proper form. Copies of the petition may be circulated only by registered qualified voters of the city in case of recall of the mayor or a councilmember at large, or by the registered qualified voters of the respective district in case of recall of a district councilmember. The petition shall be signed by a number of registered

qualified voters of the city or of the district, as the case may be, equal at least to eight (8) percent of the total number of qualified voters registered at the time of the last general city election in the city or in the district, as the case may be. Such petition shall be signed, executed, verified, filed, examined, and certified, and may be amended, in the manner provided in this article for initiative and referendum petitions.

Section 7.10. Recall: Submission at election. The council, after receiving notification from the city clerk that the petition is sufficient, shall submit the question of recall to the registered qualified voters of the city or of the district, as the case may be, at a special or general election to be held at the next legally available election. More than one (1) question of recalling officers may be submitted at the same election.

If any such office becomes vacant by resignation or otherwise prior to the election, the question of recall shall not be submitted, and unless there are other matters to be voted upon, the election, if a special election, shall be canceled. The vacancy shall be filled as other vacancies in such office are filled.

Section 7.11. Recall: Ballot title and propositions. The ballot title, propositions, and instructions to voters for recall of an officer shall be substantially in the following form:

Shall _____ (name of officer) _____
_____ be recalled
from the office of _____?

- YES
- NO

Voters in favor of the recall place a cross (X) in the square opposite the word "yes".

Voters opposed to the recall place a cross (X) in the square opposite the word "no".

Section 7.12. Recall: Effect of vote. If a majority of the registered qualified voters voting on a question of recall shall vote in favor of the recall, the incumbent of the office shall be recalled from office effective when the results of the vote are certified by the board of election commissioners and referred to the city clerk. The vote on a question of recall shall not be set aside because of any defect in the recall petition. A vacancy caused by recall shall be filled as other vacancies in such office are filled.

Section 7.13. Recall: Limitations. Recall proceedings shall not be initiated against the incumbent of an office until such incumbent has held the office at least one hundred and twenty (120) days, nor during the last one hundred and eighty (180) days of their term. If a majority of the registered qualified voters voting on a question of recall do not vote in favor of the recall, the incumbent shall continue in office without interruption, and recall proceedings shall not again be initiated against such incumbent within one hundred and eighty (180) days after the election.

Section 7.14. Person recalled or resigning. No person who has been recalled from an office, or who has resigned from an office while recall proceedings were pending against him/her, may hold any office or position of employment in the city government within two (2) years after such recall or resignation.

Section 7.15. Initiative, referendum, and recall: charter provisions to apply. The provisions of this charter relating to elections of councilmembers shall also govern initiative, referendum, and recall elections insofar as they are applicable and are not superseded by the provisions of this article.

ARTICLE 8

FINANCIAL MANAGEMENT

Section 8.1. Fiscal year. The fiscal year of the city government shall begin on July 1st and shall end on June 30th unless otherwise provided by ordinance.

Section 8.2. Budget: Preparation and submission. At least forty-five (45) days before the beginning of the fiscal year, the city manager shall prepare and submit to the council a proposed budget for the next fiscal year, which shall contain detailed estimates of anticipated revenues including any resources available from the current fiscal year, and proposed expenditures for the year, and an explanatory message. The budget shall include the general fund and at least all other regular operating funds which are deemed to require formal annual budgeting, and shall be in such form as the city manager deems desirable or as the council may require. The total of the proposed expenditures from any fund shall not exceed the total of the anticipated resources thereof. The budget and budget message shall be public records in the office of the city clerk, and shall be open to public inspection. Copies of the budget and budget message shall be made for distribution to persons on request.

Section 8.3. Budget: Comparison of anticipated revenues and proposed expenditures with prior years.

(1) In parallel columns opposite the several items of anticipated revenues in the budget, there shall be placed the amount of revenue during the last preceding fiscal year, and the amount of revenue up to the time of preparing the budget plus anticipated revenues for the remainder of the current fiscal year estimated as accurately as may be.

(2) In parallel columns opposite the several items of proposed expenditures in the budget, there shall be placed the amount of each such item actually expended during the last preceding fiscal year, and the amount of each such item actually expended up to the time of preparing the budget plus the expenditures for the remainder of the current fiscal year estimated as accurately as may be.

Section 8.4. Budget: Public hearing. The council shall hold a public hearing on the proposed budget at least one (1) week after a notice of the

time of the hearing has been published as required by state law and shall be posted on the city's website,; and any interested person shall have an opportunity to be heard. The council may continue

the hearing at later meetings without further notice.

Section 8.5. Budget: Amendment, adoption, appropriations. The council may insert, strike out, increase, or decrease items in the budget, and otherwise amend it, but may not increase any estimate of anticipated revenues therein unless the city manager certifies that, in the city manager's judgment, the amount estimated will be revenue of the fiscal year. The council, not later than the twenty-seventh (27th) day of the last month of the fiscal year, shall adopt the budget and make the appropriations on or before that day, the budget as submitted or as amended, shall go into effect and be deemed to have been finally adopted by the council; and the proposed expenditures therein shall become the appropriations for the next fiscal year. The appropriations, when made by the council by a general appropriation ordinance separate from the budget documents, need not be in as great detail as the proposed expenditures in the budget. Appropriations from a fund shall never exceed the anticipated resources thereof in the budget as adopted.

Section 8.6. Ordinance levying taxes. The council shall pass an ordinance making the annual property tax levies and the estimate of revenues from property taxes included or to be included in the budget, shall not be in excess of the revenues provided or to be provided by said ordinance.

Section 8.7. Budget: Transfer of appropriation balances, amendment. After the appropriations are made, and except as the council by ordinance may provide otherwise, the city manager may transfer unencumbered appropriation balances or parts thereof from any item of appropriation within a department, office, or agency to any other items of appropriation, including new items within the same department, office, or agency; and upon recommendation by the city manager, the council may transfer unencumbered appropriation balances or parts thereof from any item of appropriation, including an item for contingencies, in a fund to any other item of appropriation, including new items, in the fund; however, said transfers shall not be permitted in relation to any utility.

Upon recommendation by the city manager, the council by ordinance may also amend the budget as adopted by changing the estimates of anticipated revenues or proposed expenditures of

a fund and otherwise; and may increase or decrease the total appropriations from a fund when a change in revenues or conditions justify such action; but total appropriations from any fund shall never exceed the anticipated revenues thereof in the budget as adopted or as amended, as the case may be. The council shall not increase any estimate of anticipated revenues in the budget unless the city manager certified that, in the city manager's judgment, the amount estimated will be revenue of the fiscal year.

Section 8.8. Borrowing in anticipation of revenues. In any fiscal year, in anticipation of the receipt of revenues estimated in the budget for any fund, the council by ordinance or resolution may authorize the borrowing of money by the issuance of notes of the city. The total of such loans for any fund at any time shall not exceed seventy-five (75) percent of the estimated revenues of the fund for the year still outstanding and uncollected. Such revenue anticipation notes may be renewed from time to time, but all such notes and renewals thereof shall mature and be paid not later than the end of the next fiscal year. Money for one fund may thus be borrowed from another fund of the city, including the revolving improvement fund, as well as from other sources, but money may not be borrowed from utility funds; in case of a loan from another fund of the city, unless the notes and any interest thereon are fully paid on or before the due date thereof, no other expenditures shall be made thereafter from the fund for which the loan was made until the notes and interest are fully paid.

Section 8.9. Appropriations to lapse at end of year. All appropriations and all balances of appropriations made as provided in this article which have not been expended or lawfully encumbered, shall lapse at the end of the fiscal year.

Section 8.10. Representation upon the county board of equalization. When the county board of equalization is sitting to equalize assessment of property in the city, the city shall have such representation thereon as is authorized by law; and such representatives shall receive such compensation for such service as the council may provide.

Section 8.11. Contracts and expenditures prohibited, when. No department, officer, employee, or agency of the city government shall expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money, for any purpose, in excess of the amounts appropriated or authorized and available for that general classification of expenditure. Any contract made in violation of this charter shall be null and void.

Nothing in this section shall prohibit the making of contracts or the spending of money for public improvements to be financed in whole or in part by the issuance of bonds after the issuance of said bonds has been duly authorized, or for public improvements to be financed in whole or in part by special assessments on benefited real property after said improvements have been duly authorized; nor the making of contracts of lease or for services for a period exceeding the fiscal year in which such contract is made, when such contract is not prohibited by applicable law or ordinance.

Section 8.12: Adoption of financial policies. The city council shall adopt by ordinance a set of financial policies to maintain the financial integrity of the city government. The codified financial policies will ensure the city carefully accounts for public funds, manages municipal finances wisely, and develops a plan to adequately fund government services and facilities desired and needed by residents. Said financial policies shall include, but not be limited to, the following categories: Fund Balances, Debt, Financial Sustainability, Long-Range Financial Planning, Monitoring/Accountability/Control, and Investment of Funds.

Section 8.13. Purposes for which the city may issue bonds and notes: In general. The city may incur indebtedness and issue its bonds and notes in evidence thereof for any purpose authorized by this charter or which may be now or hereafter authorized by the state constitution or law for any municipality in the state.

Section 8.14. Purposes for which the city may issue bonds and notes: Specific purposes. The purposes for which the bonds and notes of the city may be issued, sold, pledged or disposed of on the credit of the city, or solely upon the credit or security of specific property owned by the city, or solely upon the credit of income derived from property used in connection with any public utility or other revenue-producing enterprise or service owned or operated by the city, or upon any two (2) or more such credits or securities, shall be generally but not limited to: Infrastructure, facilities, equipment, services, land and other public improvement; the paying, refunding, or renewing of any bonds and notes issued by the city, whether general obligation, revenue, or other; and the establishment of or providing funds for the revolving improvement fund created by this charter.

The foregoing description shall not be construed to limit any general provision of this charter authorizing the city to borrow money or issue and dispose of bonds and notes, and such general provisions shall be construed according to the full

force and effect of their language as if no specific purposes had been mentioned. The authority to issue such bonds and notes for any purpose aforesaid is cumulative, and shall not be construed to impair any authority to make any public improvement under any provision of this charter or of the state constitution or law.

Section 8.15. Debt statement. Prior to the passage of any ordinance submitting to the qualified voters of the city at any election, general or special, any proposal for issuing general obligation bonds, the director of finance shall prepare, swear to, or affirm, and file in the office of the city clerk for public inspection, a debt statement which shall set forth at least:

- (1) The aggregate principal amount of all outstanding general obligation bonds and notes of the city;
- (2) deductions, if any, permitted by the state constitution or law;
- (3) the amount of the existing net general obligation indebtedness;
- (4) the amount of the net general obligation indebtedness after the issuance of the bonds authorized by such bond ordinance;

(5) the assessed valuation of taxable tangible property within the city as shown by the last completed assessment for state and county purposes; and

(6) the aggregate principal amount of general obligation bonds and notes which the city may issue pursuant to the state constitution and law.

The debt statement shall be approved by the council, and notice shall be published as required by state law and shall be posted on the city's website. The debt statement shall be deemed to be correct, but no error therein shall affect the validity of the election or of any bonds to be issued.

Section 8.16. Bond anticipation notes. In anticipation of the issuance of general obligation, revenue, or other bonds which have been authorized, the council by ordinance or resolution may authorize the issuance of notes. Each such note, including any renewals, shall mature and be paid not more than fourteen (14) calendar months after date of issuance of the original note.

ARTICLE 9

LICENSE TAXES

Section 9.1. The council shall have the power by ordinance to license, tax and regulate all businesses, occupations, professions, vocations, activities or things whatsoever set forth and enumerated by the statutes of the state now or hereafter applicable to constitutional charter cities,

or cities of any class, or of any population group, and which any such cities are now or may hereafter be permitted by law to license, tax and regulate.

ARTICLE 10

PUBLIC IMPROVEMENTS, SPECIAL ASSESSMENTS, AND CONDEMNATION

Section 10.1. Public improvements: Power to make and acquire. The city shall have power, within the city, to establish and improve public highways of every character, and parts thereof, by grading or regrading, paving or repaving, macadamizing or remacadamizing, blacktopping or reblacktopping, surfacing or resurfacing, constructing or reconstructing, oiling or sprinkling, curbing or recurbing, guttering or reguttering, repairing, or otherwise improving the same, or any parts thereof, or by constructing, reconstructing, altering, or repairing sidewalks thereon, or by sodding or resodding same or part thereof, or by planting, replanting, and caring for trees and shrubbery on or along the same, and acquire, construct, reconstruct, alter, repair, and maintain bridges, viaducts, tunnels, subways, culverts, cuts and fills, and approaches to any of them, and dikes, wharves, levees, drains, and sanitary and storm sewers on, along, or under any such public highway or highways or other rights of way therefor, and any and all other works in connection therewith; and to acquire, construct, reconstruct, repair, maintain, enlarge, alter and extend waterworks and facilities thereof, sanitary sewers, storm sewers, drains, canals, septic tanks, sewage disposal works and plants, including all inlets, outlets, equipment, and other appurtenances thereto; and to improve watercourses and the banks thereof, divert the water thereof, and change the channels of the same; and to acquire, construct, reconstruct, alter, repair, and maintain all other public works or improvements; and to provide for making or acquiring such works or improvements separately or in combination with any two (2) or more of them as one (1) general public improvement. When not otherwise limited or prohibited by the state constitution, the powers above enumerated may also be exercised by the city outside of the city limits for the benefit of the city and its inhabitants.

Section 10.2. Revolving improvement fund. There is hereby created a fund to be known as the revolving improvement fund. Said fund may be established and maintained from any or all of the following sources:

- (1) Available resources from the general or other available funds.
- (2) The proceeds from bond issues as provided in this charter.
- (3) Collections of special assessments or special tax bills or other evidences of special

assessments, and any interest thereon, levied or issued for public work or improvement or condemnation of land paid for out of said improvement fund.

(4) The proceeds from the sale of special tax bills or other evidences of special assessments.

(5) Any other source provided by ordinance not in conflict with this charter or law.

Whenever the council shall authorize the cost of any public work or improvement, including the condemnation of any property, or of the purchase of any tax bills issued for any public work or improvement to be paid out of the revolving improvement fund, any special assessment and interest thereon which may be levied and collected on account of such work or improvement, or the proceeds from the collection or sale of any such tax bills and interest thereon, shall be credited to and paid into said fund.

Section 10.3. Procedure for initiating special assessment projects.

(1) All proceedings to make or acquire any of the public works or improvements authorized by this charter, which are to be paid for, in whole or in part, by special assessments upon benefited real property, or in special tax bills or other evidences of special assessments thereon, or out of the revolving improvement fund to be reimbursed by collection of such assessments, shall be begun by adoption of a resolution by the council declaring the necessity of such work or improvement, and stating generally the nature thereof, the proposed method of payment therefor, the proposed boundaries of the district within which property is to be assessed, and the proposed method of apportioning the cost among the individual parcels of land in the district.

(2) The said resolution declaring the necessity of a public work or improvement shall be published as required by state law and shall be posted on the city's website in full, within ten (10) days after passage. A copy of the resolution and notice of a public hearing to be held on the proposed work or improvement shall be mailed to all owners of real property in the proposed benefit district, of record at the time of passage of the resolution, whose addresses are known; but failure of a property owner to receive the resolution and the notice shall not affect the validity of the proceedings. Notice of the hearing, if not included in the resolution and published as a part thereof, shall be published

as required by state law and shall be posted on the city's website.

(3) The public hearing on the proposed work or improvement shall be held at least seven (7) days after the publication and mailing of the resolution of necessity and notice of the hearing. The council shall hold the hearing unless it provides by general ordinance that such hearings shall be held by the director of public works and that the director shall report recommendations to the council.

(4) If, after the public hearing on the proposed public work or improvement, the council desires to proceed with the work or improvement or any part thereof, it shall adopt a resolution of intent to proceed therewith. The resolution of intent shall set forth the general nature of the work or improvement, the method of payment therefor, the boundaries of the district within which property is to be assessed therefor, and the method of apportioning the cost among the individual parcels of land within the district; shall order the preparation of detailed plans and specifications therefor; and shall order that an estimate be made of the total cost of the project and of the amount which would be assessed against each parcel of land in the district. No error or inaccuracy in such estimate shall affect the validity of the proceedings.

(5) Upon completion of the estimate of cost, the estimate and a notice of a public hearing thereon shall be published as required by state law and shall be posted on the city's website, and a copy of the estimate and a notice of the hearing shall be mailed to all owners of real property in the benefit district, of record at the time of passage of the resolution of necessity, whose addresses are known; provided that, in lieu of mailing a copy of the complete estimate of cost to each owner, a statement of the amount estimated to be charged against his individual property may be mailed. Failure of a property owner to receive the estimate and the notice shall not affect the validity of the proceedings. The public hearing shall be held at least seven (7) days after such publication and mailing. The council shall hold the hearing unless it provides by general ordinance that such hearings shall be held by the director of public works and that he/she shall report to the council.

(6) After the hearing on the estimate of cost, but not more than one hundred and eighty (180) days after passage of the resolution of necessity, the council may pass an ordinance directing the advertisement for bids on the public work or improvement if it is to be done by contract or directing city forces to proceed with the work or improvement. If the council has not already done so by motion, resolution, or ordinance, this ordinance shall approve the

plans and specifications. If any part of the cost of the work or improvement is to be paid in cash, and the money has not already been appropriated or authorized, this ordinance shall also appropriate the money therefor from a proper fund or funds, but the appropriation shall be subject to change.

Section 10.4. Plans and specifications. The plans and specifications for a public work or improvement shall not limit the materials to be used to those of any particular producer or manufacturer, but they shall be so drafted as to permit materials and processes to enter into competition insofar as deemed advantageous to the city.

Section 10.5. Levy and assessment of costs. Upon the completion or acquisition of any public work or improvement the cost of which is to be paid in whole or in part by special assessments, or in special tax bills or other evidences of special assessments, or out of the revolving improvement fund to be reimbursed by collection of special assessments, the city manager shall cause the entire cost thereof, including any cost or expense incurred by the city (which may include among other things any cost of condemnation incurred by the city, not separately assessed) to be computed.

The council shall then pass an ordinance levying and assessing the cost or the part thereof to be paid by special assessments, or in special tax bills or other evidences of special assessments, or out of the revolving improvement fund to be reimbursed by collection of special assessments, against the individual parcels of land in the benefit district.

The council may provide that such special assessments and interest thereon may be paid in annual or more frequent installments within a period not exceeding ten (10) years.

If special tax bills are to be issued in payment for the public work or improvement, in whole or in part, the said ordinance or a separate ordinance shall direct the issuance thereof.

Section 10.6. Method of apportioning costs. The amount to be assessed against all real property specially benefited by any public work or improvement shall be apportioned among the individual parcels in the district in proportion to their respective benefits in the manner prescribed by the council in the resolution of intent to proceed with the work or improvement.

Section 10.7. Invalid or insufficient assessments, reassessment — Excessive assessments. If any such special assessment or special tax bill or other evidence of special

assessments shall fail to be valid in whole or in part, or if for any cause, mistake, or inadvertence the amount assessed shall not be sufficient to pay the cost of such work or improvement, the council shall be and is hereby authorized to cause such assessment to be reassessed and to enforce or authorize the enforcement of its collection.

If the amount assessed be more than necessary, the excess shall first be credited on any unpaid installments of the assessments already levied against the individual parcels of land, and any balance then remaining shall be refunded to the property owners in proportion to those assessments.

Section 10.8. All property, public or private, liable for special assessments. All real property located within any benefit district established by the council, whether publicly or privately owned, including all tax-exempt property, cemeteries, railroad rights of way, and all other real property, public or private, shall be liable for special assessments made or special tax bills issued against such property.

If any property deemed benefited shall by reason of any provision of law be exempt from assessment, a proportionate share of the cost shall be assessed against such property, and such assessment shall be paid by the city.

ARTICLE 11

PLANNING AND ZONING

Section 11.1. City planning commission: Created, membership. There shall be a city planning commission, which shall consist of seven (7) members appointed by the council for four (4)-year terms which shall overlap based upon the expiration dates of the terms of original appointment. The city planning commission shall have all powers proscribed to planning and zoning commissions in Chapter 89, RSMo.

The chairman of the commission shall have power to administer oaths and affirmations.

Section 11.2. Comprehensive Development Plan. The comprehensive development plan shall be so prepared that all or portions of it may be adopted by the council as a basis for community development.

The comprehensive development plan shall include a statement describing it and a statement

of objectives, principles, and standards used in developing it.

The comprehensive development plan or elements thereof and any changes therein may be recommended by the city planning commission only after a public hearing thereon, and may be adopted by the council only after a public hearing thereon.

Section 11.3. Board of adjustment: Created membership. There shall be a board of adjustment, which shall consist of five (5) members appointed by the council for overlapping five (5)-year terms. The council shall appoint the five (5) original members so that the term of one (1) will expire on July 1st in each of the first five (5) years after their appointment.

The chairperson of the board shall have power to administer oaths and affirmations.

ARTICLE 12

PRIVATELY OWNED UTILITIES

Section 12.1. Franchises: Granting. A franchise for a public utility may be granted to a person, firm, or corporation, extended, renewed, or amended only by an ordinance passed by the council, accepted as provided hereinbelow by the person, firm, or corporation to whom the franchise is granted.

Section 12.2. Franchises: Terms and conditions.

(1) No franchise shall be granted by the city for a term exceeding twenty-five (25) years. An exclusive franchise shall never be granted.

(2) Franchises and utilities are subject to all applicable laws of the State.

Section 12.3. Franchises: Sale or assignment. The grantee of a franchise may not sell, assign, sublet, or allow another to use the same, unless the council by ordinance gives its approval.

ARTICLE 13

GENERAL AND MISCELLANEOUS PROVISIONS

Section 13.1. Gender. When the masculine gender is used in this charter, it shall also mean the feminine unless the masculine alone is clearly indicated.

Section 13.2. Notice of suits. No action shall be maintained against the city for or on account of any injury growing out of alleged negligence of the city unless notice shall first have been given in writing to the city manager within ninety (90) days of the occurrence for which damage is claimed, stating the place, time, character, and circumstances of the injury, and that the person so injured will claim damages therefor from the city.

Section 13.3. Service of processes, writs, and legal notices. All civil processes, judicial writs, and legal notices running to the city, may be served upon the city manager.

Section 13.4. Proof of ordinances, etc. Any ordinance, resolution, or proceedings of the city may be proved by a copy thereof duly certified by the city clerk under seal of the city; or, when printed in book or pamphlet form by authority of the city, the same shall be received in evidence in all courts and places without further proof of authenticity.

Section 13.5. Creation and maintenance of records. All officers shall cause to be created and filed such records as are necessary for the performance of their official duties, and shall cause them to be maintained so as to be accessible at all times. When officers vacate their offices, they shall deliver the records of their offices to their successors.

The council shall regulate city records and provide for their preservation, removal when no longer needed for current use, storage and donation to an appropriate historical society or library or other disposition when no longer of value to the city government. No record of account, voucher, contract, lease, insurance policy, payroll, time record, tax deed, purchase order, police or municipal court record, or other official document in any office or agency of the city government shall be destroyed except as may be provided by ordinance.

Section 13.6. Publicity of meetings, records and votes. All meetings, records, accounts and votes of the council and of every office, department, or agency of the city shall be open to the public as may be required by state law or city ordinance.

ARTICLE 14

CHARTER: PUBLIC ACT, AMENDMENT, AND SEPARABILITY

Section 14.1. Charter to be a public act. This charter is hereby declared to be a public act, and all courts shall take judicial notice thereof.

Section 14.2. Amendment of charter. This charter may be amended after being submitted to and approved by the registered qualified voters of the City of Independence, or hereafter provided by the state constitution. From time to time, but no less often than every seven (7) years, the council shall provide for a charter review commission to review this charter and to recommend to the voters of the city proposed amendments to this charter, if any. The members of the charter review commission shall be selected as provided by the council. The charter review commission shall consist of at least eleven (11) qualified voters of the city, including a chair person who is appointed by the mayor.

Section 14.3. Separability clause. If a court of competent jurisdiction should hold any section or part of this charter invalid, such holding shall not affect the remainder of this charter nor the context in which such section or part so held invalid may appear, except to the extent that an entire section or part may be inseparably connected in meaning and effect with that section or part.

If a court of competent jurisdiction holds a part of this charter invalid, or if a change in the state constitution or law renders a part of this charter invalid or inapplicable, the council by ordinance may take such appropriate action as will enable the city government to function properly.

revised charter goes into full effect. Public improvements for which steps have been taken by the council under the former charter government may be carried to the completion as nearly as practicable in accordance with the provisions of law under which said government operated. All uncollected taxes and assessments levied or assessed, all fines and penalties imposed, and all other obligations owing to the city, shall continue in full effect and be collected as if no change had been made in the city government. Nothing in this charter shall prohibit the city from performing all the covenants heretofore entered into by it in connection with revenue bonds which it has issued.

Section 2. Pending actions and proceedings. The adoption of this revised charter shall not abate or otherwise affect any action or proceeding, civil or criminal, pending when it takes effect, brought by or against the municipality or any office, department, agency or officer thereof.

Section 3. Ordinances to remain in effect. The adoption of this revised charter shall not repeal, abate or otherwise affect existing ordinances, whether codified or not, resolutions, or administrative orders or codes.

Section 4. Budget revision, etc. Notwithstanding any other provisions of this charter, the council may take such action regarding the budget as may be necessary or proper as a result of the going into effect of this revised charter and the change made in the fiscal year by this charter, including, but not limited to, the adoption of a revised or interim budget.

Section 5. Effective date of revised charter. If a majority of the qualified voters of the city vote for the proposed charter revisions as provided in Section 1 of this schedule, the provisions of the revised charter, including this schedule, shall go into effect immediately unless otherwise specified in the ballot language.

SCHEDULE

Section 1. Contracts, obligations, etc., to remain in effect. The adoption and going into effect of this revised charter shall not impair any contract to which the city is a party at the time this

CERTIFICATE OF CHARTER REVIEW COMMISSION

We, the undersigned members of the Charter Review Commission, duly appointed by the members of the City Council of the City of Independence, Missouri, have framed and hereby approve and propose the foregoing revised Charter of the City of Independence, Missouri for submission to the City Council of the City of Independence, Missouri, and recommend to said City Council that this revised Charter be submitted to the registered qualified voters of the City of Independence.

IN WITNESS WHEREOF, we hereunto subscribe our names this ___ day of _____, ___, in the City of Independence, Missouri.

- Jacqueline Sommer, Chair**
- John Allinder**
- Les Boatright**
- Patrick Casey**
- Carmen DeHart**
- Bruce Franks**
- Nick Huff**
- Kevin Lathrom**
- Mark McDonald**
- Terri Steele**
- Tom Waters**

Subscribed and sworn to or affirmed before me this ___ day of _____, _____.

Notary Public

(Seal)

My commission expires:
