

CHAPTER 32: CITY COUNCIL

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§ 32.01 CITY COUNCIL.

The legislative power shall be vested in a City Council having not less than six councilmen.  
(Ord. 24, passed 8-11-70)

§ 32.01A OATH; BOND.

(A) Oath. Each officer of the city shall, before entering upon the discharge of duties of his office, take the following oath: "I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of this Commonwealth, and the Constitution of the United States, and be faithful and true to the Commonwealth of Kentucky, so long as I continue a citizen thereof, and that I will faithfully execute, to the best of my ability, the office of \_\_\_\_\_, according to law; and I do further solemnly swear (or affirm) that, since the adoption of the present Constitution, I being a citizen of this United States, have not fought a duel with deadly weapons within this State, nor out of it, nor have I sent or accepted a challenge to fight a duel with deadly weapons, nor have I acted as a second in carrying a challenge, nor aided or assisted any person thus offending, so help me God", as established by § 228 of the Kentucky Constitution.

(B) Certification of oath. The person administering an oath of office to an elected officer, shall certify, in writing, that the oath of office was administered, and the date of its administration. The said written certification shall be filed in accordance with the mandates of KRS 62.

(C) Bond. Official bonds shall, if required, meet the standards of KRS 62.060.

§ 32.02 ELECTION; TERMS; QUALIFICATIONS.

(A) Election; term of office. Each Council member shall be elected at-large by the voters of the city at a regular election. Terms of office begin on the first day of January following the election and shall be for two years.

(B) Qualifications. A member shall be at least 18 years of age, shall be a qualified voter in the city, and shall reside in the city throughout his term of office.

(KRS 83A.040(4))

(C) (1) The City Council may by ordinance divide the city into wards by either of the following methods:

(a) The city may create the same number of wards as the number of Council members. Wards shall be as nearly equal in population as practicable and their boundaries shall be fixed by the ordinance; or

(b) The city may establish a hybrid ward system for the conduct of its City Council elections, provided that the city shall provide in the ordinance that a specific number of City Council seats shall be subject to the ward system and that a specific number of City Council seats shall be elected at large within the entire city without representing a particular ward. The wards created under this division (C) (1) (b) shall be as nearly equal in population as practicable and their boundaries shall be fixed by ordinance.

(2) The populations of wards shall be reviewed as necessary to insure that populations are as nearly equal as practicable, but the populations of wards shall be reviewed for equalization at least as often as each regular federal census.

(3) Wards may be abolished by repeal of the ordinance creating them. No creation, alteration or abolition of wards shall occur within 240 days preceding a regular election.

(4) If a city is divided into wards, Council members shall be nominated and elected in the following manner:

(a) Members shall be elected in the regular November election at large, but each candidate shall reside in the ward he seeks to represent and shall be elected in such a manner that each ward is equally represented on the City Council. The names shall be presented in the election to show for which ward each candidate is seeking election and voters shall be instructed to "vote for one candidate in each ward." The candidate receiving the highest number of votes cast in each ward shall be deemed to be elected from such ward.

(b) Persons seeking nomination of a political party for the office of City Council member where a primary election is required for the political party, shall be voted upon exclusively by the eligible voters of the ward in which the person resides and seeks to represent.

(c) Except as provided in division (C) (4) (d) below, persons seeking nomination for the office of City Council member in a nonpartisan election where a primary is conducted pursuant to KRS

83A.170 shall be voted upon at large by the voters of the city and the two candidates receiving the highest number of votes in each ward shall be deemed to be nominated from that ward.

(d) The city may provide specifically in the ordinance provided in division (C)(1) above that persons seeking nomination for the office of City Council member in a nonpartisan primary conducted pursuant to KRS 83A.170 shall be voted upon exclusively by the eligible voters of the ward in which the person resides and seeks to represent. The two candidates receiving the highest number of votes cast in each ward shall be deemed to be nominated from the ward.

(5) If the city enacts or amends an ordinance to establish or abolish wards, modify ward boundaries, or to establish the manner of elections under division (C)(4) above, such action shall be completed within the time specified by division (B) above and the city shall forward a copy of the ordinance to the county clerk or county clerks of the county or counties in which the city is located. (KRS 83A.100)

(D) No vacancy by reason of a voluntary resignation of a member of the City Council shall occur unless a written resignation which specifies the resignation date is tendered to the City Council. The resignation shall be effective at the next regular meeting of the city legislative body. (KRS 83A.040(7))

#### § 32.03 QUORUM AND MEETINGS.

(A) Unless otherwise provided by statute, a majority of the Council constitutes a quorum and a vote of a majority of a quorum is sufficient to take action. (KRS 83A.060(6))

(B) (1) Regular meetings of the Council shall be held at least once each month at those times and places established by ordinance.

(2) Special meetings of the Council may be called by the Mayor or upon written request of a majority of the Council. In the call, the Mayor or Council shall designate the purpose, time, and place of the special meeting with sufficient notice for the attendance of Council members and for compliance with KRS Chapter 61.

(3) At a special meeting no business may be considered other than that set forth in the designation of purpose.

(4) The minutes of every meeting shall be signed by the person responsible for maintaining city records as provided under § 33.01 and by the officer presiding at the meeting. (KRS 83A.130(11))

(C) (1) The Mayor shall preside at meetings of the Council. The Council has the authority to establish, by ordinance, the manner in

which one of its number may be selected to preside at meetings of the Council in the absence of the Mayor.

(2) The Mayor may participate in Council proceedings, but shall not have a vote, except that he may cast the deciding vote in case of a tie. (KRS 83A.130(5))

§ 32.04 OFFICIAL AND PERMANENT RECORDS.

(A) Every action of the Council is hereby made a part of the permanent records of the city and on passage of an ordinance the vote of each member of the Council shall be entered on the official record of the meeting.

(B) The Council has provided, under the provisions of §§ 31.36(C) and 32.42, for the maintenance and safekeeping of the permanent records of the city. The City Clerk and the presiding officer shall sign the official record of each meeting.

(C) At the end of each month, all ordinances adopted in the city shall be indexed and maintained by the City Clerk in the following manner:

(1) The city budget, appropriations of money, and tax levies shall be maintained and indexed so that each fiscal year is kept separate from other years.

(2) All other city ordinances shall be kept in the minute book or an ordinance book in the order adopted and maintained in this code of ordinances. (KRS 83A.060(8))

(D) All ordinances and order of the city may be proved by the signature of the City Clerk; and when the ordinances are placed in this code of ordinances by authority of the city, the printed copy shall be received in evidence by any state court without further proof of such ordinances. (KRS 83A.060(14))

§ 32.05 COMPENSATION OF COUNCIL MEMBER.

Each Council member shall be paid the sum of \$750.00 per month. (Ord. 646, passed 3-24-98)