

CITY OF BELLEVUE, KENTUCKY

ORDINANCE 2006-06-01

AN ORDINANCE AMENDING TITLE III, SECTION 31.01 AND 31.38 OF THE CITY OF BELLEVUE, KENTUCKY, CODE OF ORDINANCES REQUIRING THE ADMINISTRATION OF THE OATH OF OFFICE AND THE DUTIES OF THE CITY ADMINISTRATIVE OFFICER AND DECLARING AN EMERGENCY TO EXIST.

WHEREAS, Title III, Section 31.01, of the City of Bellevue, Kentucky, Code of Ordinances establishes an oath of office for all city officials; and

WHEREAS, it is the intent of City Council to immediately provide a separate oath of office for all non-elected city officials that will preclude residency within the Commonwealth of Kentucky as a requirement for such office; and

WHEREAS, the City Council hereby declares an emergency to exist and suspends second reading and publication of this Ordinance as a requirement for the Ordinance to be enacted; and

WHEREAS, the City Council declares an emergency to exist for the following reasons: a vacancy exists in the non-elected office of the City Administrative Officer; the individual selected to fill said vacancy is not a resident of the Commonwealth of Kentucky; and it is the desire of City Council and the Mayor to immediately appoint the individual to the vacancy.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bellevue, Campbell County, Kentucky, that:

SECTION I

That Title III, Section 31 of the City of Bellevue, Kentucky, Code of Ordinances shall be amended as follows:

§ 31.01 OATH OF OFFICE

(A) Oath. Each elected 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 the United States and the Constitution of the Commonwealth, 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 State, 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 carry a challenge, nor aided

or assisted any person thus offending, so help me God”, as established by Section 228 of the Kentucky Constitution.

(B) Oath. Each non- elected 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 the Untied States and the Constitution of the Commonwealth, and be faithful and true to the Commonwealth of Kentucky, 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 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 carry a challenge, nor aided or assisted any person thus offending, so help me God.”

(C) ~~(B)~~ Certification of oath. The person administering the oath of office to an elected official shall certify in writing that the oath was administered and the date of its administration. The written certification shall be filed in accordance with KRS 62.020.

§ 31.38 CITY ADMINISTRATIVE OFFICER.

(D) The duties and responsibilities of this office shall include but are not limited to the following:

(1) Advise the ~~Mayor~~ executive authority of the city in policy formulation on overall problems of the city;

(2) Have major responsibility for preparation and administration of operating and capital improvement budgets under direction of the executive authority;

(3) Be the Personnel Administrator with duties as set forth in the personnel policies of the city;

(4) Having continuing direct relationship with operating department heads on implementation and administration of programs;

(5) Be the Zoning Administrator with responsibilities as set forth in the official zoning ~~code~~ regulations of the city unless a separate Zoning Administrator is appointed and employed by the city and assigned the duties thereof;

(6) The City Administrative Officer shall carry out all additional duties lawfully delegated by appropriate order of the executive authority and shall have the same powers as the Mayor in carrying out those duties.

(E) The oath of office to be executed by the City Administrative Officer shall be that set forth in ~~Section 228 of the Constitution of the Commonwealth of Kentucky~~ Section 31.01 (B) of City of Bellevue, Kentucky, Code of Ordinances.

SECTION II

That all ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION III

For the reasons set forth hereinabove, an emergency is declared to exist and the provisions of this ordinance shall become effective immediately upon its adoption by a vote of two-thirds (2/3) or more of the members of the Bellevue City Council.

Adopted this 29th day of June, 2006.

ATTEST:

John D. Meyer, Mayor

Lois McBee, Assistant City Clerk

1st Reading: _____

Publication: _____