

APPENDIX 1

CITY CHARTER

CHARTER OF THE CITY OF
CHICKASHA, GRADY COUNTY, OKLAHOMA

PREAMBLE

We, the people of the City of Chickasha, Oklahoma, in order to enjoy the full benefit of home rule, do ordain and establish this charter for the City of Chickasha.

ARTICLE ONE
NAME AND BOUNDARIES

Section 1. The Municipal Corporation, now existing and known as the City of Chickasha, Grady County, Oklahoma, shall remain and continue to be a body politic and corporate and under the same name and with the same boundaries, with power and authority to change its boundaries in the manner authorized by law.

Section 2. Pursuant to the authority set forth in ARTICLE ONE of the City of Chickasha Charter of the City of Chickasha Ward Boundaries of the City of Chickasha are hereby changed as hereinafter set forth, to wit:

WARD 1. All that part of the City of Chickasha, Grady County, Oklahoma, situated South and West of the centerline of Georgia Avenue from the West City Limits now existing or as hereafter enlarged or changed, thence East to the centerline of 21st Street, thence South along the centerline of 21st Street to the centerline of Tennessee Avenue, thence East along the centerline of Tennessee Avenue to the centerline of 12th Street, thence South along of the centerline of 12th Street to the centerline of Alabama Avenue, thence West along the centerline of Alabama Avenue to the centerline of the alley located in the twelve-hundred block of Alabama Avenue, thence South along the centerline of the alley to the centerline of Grand Avenue, thence West along the centerline of Grand Avenue to the centerline of 16th Street, thence South along the centerline of 16th Street to the South City Limits now existing or as hereafter enlarged or changed. (*Amended Ord. No. 2001-13, 12/03/2001*).

WARD 2. All that part of the City of Chickasha, Grady County, Oklahoma, situated South and East of the existing centerline of Grand Avenue from the East City Limits now existing or hereafter enlarged or changed, thence West to the centerline of 4th Street, thence North along the centerline of 4th Street to the centerline of Tennessee Avenue, thence West along the centerline of Tennessee Avenue to the centerline of 9th Street, thence North along the centerline of 9th Street to the centerline of Georgia Avenue, thence West along the centerline of Georgia Avenue to the centerline of 12th Street, thence South along the centerline of 12th Street to the centerline of Alabama Avenue, thence West along the centerline of Alabama Avenue to the centerline of the alley located in the twelve-hundred block of Alabama Avenue, thence South along the centerline of the alley to the centerline of Grand Avenue, thence West along the centerline of Grand Avenue to the centerline of 16th Street, thence South along the centerline of 16th Street to the South City Limits now existing or as hereafter enlarged or changed. (*Amended Ord. No. 2001-13, 12/03/2001*).

WARD 3. All that part of the City of Chickasha, Grady County, Oklahoma, situated North and East of the centerline of Grand Avenue from the East City Limits now existing or hereafter enlarged or changed, thence West to the centerline of 4th

Street, thence North along the centerline of 4th Street to the centerline of Tennessee Avenue, thence West along the centerline of Tennessee Avenue to the centerline of 9th Street, thence North along the centerline of 9th Street to the centerline of Choctaw Avenue, thence West along the centerline of Choctaw Avenue to the centerline of North 16th Street, thence North along the centerline of 16th Street to the North City Limits as now existing or hereafter enlarged or changed. (*Amended Ord. No. 2001-13, 12/03/2001*).

WARD 4. All that part of City of Chickasha, Grady County, Oklahoma, situated North and West of the centerline of Georgia Avenue from the West City Limits now existing or hereafter enlarged or changed, thence East to the centerline of 21st Street, thence South along the centerline of 21st Street to the centerline of Tennessee Avenue, thence East along the centerline of Tennessee Avenue to the centerline of 12th Street, thence North along the centerline of 12th Street, to the centerline of Georgia Avenue, thence East along the centerline of Georgia Avenue to the centerline of 9th Street, thence North along the centerline of 9th Street to the centerline of Choctaw Avenue, thence West along the centerline of Choctaw Avenue to the centerline of North 16th Street, thence North along the centerline of 16th Street to the North City Limits as now existing or hereafter enlarged or changed. (*Amended Ord. No. 2001-13, 12/03/2001*).

Section 3. The City Council shall have the power, by ordinance; to change the boundaries of the wards of said City. The City Council shall in July of each odd numbered year review the ward boundaries and shall rearrange all boundaries, if necessary, to provide equal population representation in each ward and/or precinct.

ARTICLE TWO
CORPORATE POWERS, RIGHTS AND LIABILITIES

Section 1. The City of Chickasha shall have perpetual succession and shall own, possess and hold all property, real and personal, heretofore owned, possessed or held by the City of Chickasha and shall assume, manage and dispose of all trusts in any way connected therewith.

Section 2. It shall succeed to all the property rights and liabilities and shall acquire all benefits, and shall assume and pay all bonds, legal obligations, and indebtedness of said City of Chickasha, and by that name sue and be sued, may contract and be contracted with, plead and be impleaded, intervene, prosecute and defend in all courts and in all matters and proceedings; and shall have power to acquire property, real or personal, by purchase or otherwise, within or outside of the City Limits, necessary for the public good, and to own, hold, sell, lease, convey or otherwise dispose of any real or personal property, within or outside of the City Limits; may have and use a common seal and alter the same at pleasure. The City may dispose of real property with a County Assessor appraised valued of Twenty-Five Thousand Dollars (\$25,000.00) or less by majority vote of the City Council, any real property with a County Assessor appraised valued at more than Twenty-Five Thousand Dollars (\$25,000.00) shall require a majority affirmative vote of the electors in a special or general election. (*Refer to Amendment No. VI, Section 2, Amended Res. No. 2000-17R, 11/06/2000*).

Section 3. May receive bequests, gifts and donations of all kinds of property in fee simple, or in trust, for public, charitable or other purposes and to do all things and acts necessary to carry out the purposes of such gifts, bequests and donations.

Section 4. Shall have the power, within or without its territorial limits, to construct, condemn and purchase, acquire, lease, add to, maintain, conduct and operate, water works, light plants, telephone system, power plants, hospitals, airports,

transportation system, heating plants, cemeteries, parks, community buildings and convention halls, sewers, and all other public utilities or works local in use, and to do every other thing required, (in whole or in part) for the use of said city and the inhabitants thereof.

Section 5. With power to purchase, in whole or in part, any existing, plant, lands, franchises, or public utilities and to enforce such purchase by proceedings at law and to issue bonds in any amount upon a vote of majority of the electors at any special or general election, necessary to carry out any of said powers or purposes, and to exercise the right of eminent domain in condemnation proceedings.

Section 6. The City shall have all of the power conferred upon cities of the first class by the constitution of the State of Oklahoma, and by the laws of the State not rendered inoperative by the adoption of this charter, and shall have all such legislative, executive, judicial and proprietary power necessarily incident to or proper in the conduct of its business and affairs, and such as will promote the interests and secure the rights of its inhabitants and promote the general welfare, as fully as if specifically enumerated herein. The enumeration of any particular powers shall in no way limit the plenary powers above provided for said City. No law relating to cities of the first class hereafter enacted by the State of Oklahoma shall operate as a repeal, diminution or limitation of the powers conferred upon the City by this charter. The City especially reserves and shall have all governmental, proprietary and police powers incident or necessary and appurtenant to municipal corporations, either expressed herein, inherent or that may be now or hereafter granted by the constitution and laws of Oklahoma.

Section 7. The City of Chickasha shall succeed to own, possess and control all of the books, records, documents, and all other property, real, personal or mixed, together with all choses in action and claims belonging to and possessed by the said City of Chickasha, prior to and at the time of the adoption of this charter. It shall be subject to and liable for all legal debts, obligations, judgments, warrants, and bonds for which said City is bound at the time this charter shall become effective.

Section 8. All valid existing ordinances of this city not inconsistent with this charter shall be and continue in full force until altered, amended or repealed by the legislative authority of the city, or until they expire by their own limitations. Nothing herein, however, shall legalize or validate any illegal or invalid indebtedness of the city heretofore contracted or incurred, or impair any defense against the payment of the same; nor shall the adoption of the charter in any wise interfere with any proceedings heretofore instituted relative to the levy and collection of taxes, special assessments or levies of any nature or with any proceedings to enforce the payment of the same, and all valid and legal contracts and obligations heretofore entered into by the city shall remain in full force and effect and be completed and performed under ordinances existing at the time of the adoption of this charter.

ARTICLE THREE
POLICE AND OTHER POWERS

Section 1. There is hereby reserved unto the City of Chickasha power to enact and provide ordinances to protect life, health, peace and property; to declare, prevent, abate, and remove nuisances, and to restrain and abate nuisances in courts of equity, preserve and enforce good order and good government; the general welfare and security of the City and the inhabitants thereof: to promote the public health, public peace, public morals, public safety, trade and commerce, and general welfare of the inhabitants of the said City.

Section 2. The Council shall have the power to provide penalties for the violation of any ordinance, including fines and imprisonment or both and commit until such fines and costs are paid. Any person committed for non-payment of fines and costs, or either, while in custody may be compelled to work on the streets, alleys or public grounds at such rate per day as the Council may prescribe, until such fine and costs are satisfied.

Section 3. The Council is hereby authorized to provide Civil Service rules for all or any part of the city employees.

ARTICLE FOUR
CORPORATE POWERS – HOW VESTED AND EXECUTED

Section 1. The elective officers of the City of Chickasha shall consist of eight councilmen and a mayor, herein designated as City Council, each of whom shall subscribe to an oath of office as provided by the constitution of Oklahoma, and each of whom shall execute bond as may be required by ordinances of said City.

Section 2. The City Council of the City of Chickasha shall be vested with all legislative powers conferred by the Constitution and laws of the State of Oklahoma on Mayors and councils of Cities of the first class, and by this charter.

Section 3. The City Council, from its members, shall appoint a Mayor Pro Tempore, who shall act as Mayor in the absence of the Mayor, and in the absence of both, the City Council shall designate one of their number to act as Mayor, who in such case, shall have all the powers of Mayor. The Mayor shall preside at all meetings of the City Council, and in his official capacity shall sign all ordinances, resolutions, orders and proceedings of the City Council, and all warrants, bonds, bills, documents and proceedings authorized by the Council, and he shall have power to administer oaths, and shall perform such other duties consistent with his office as may be imposed by the City Council. He shall be recognized as the official head of the City for all ceremonial purposes, by the courts, for the purpose of serving civil process and by the Governor for military purposes. In time of public danger or emergency, he may, with the consent of a majority of the City Council take command of the police and maintain order and enforce the laws. The Mayor will vote as a member of the City Council. *(Refer to Amendment No. VI, Section 2, Amended Res. No. 2000-17R, 11/06/2000).*

Section 4. The City Council shall hold a regular meeting at least once each month, the time therefore to be prescribed by resolution, for the transaction of business, and shall hold such other regular or special meetings as the City Council may by resolution enact. Provided, that the Mayor, when in his judgment the business of the City may require a special meeting, may call such special meetings of the City Council, at any time, by giving written notice to all members of the City Council at least four (4) hours before the time of the meeting; and provided further that the Mayor shall call a special meeting upon an affirmative request of five (5) of the members of the Council, who shall sign and present to him a written request, stating the time and object of the meeting. All meetings of the city Council and its proceedings shall be held at the Council Chamber of the City Hall, or at some other appropriate place designated by City Council, and must be open to the general public. *(Refer to Amendment No. VI, Section 4, Res. No. 2000-17R, Amended 11/06/2000).*

Section 5. No ordinance, resolution or motion of the City Council shall become effective unless it receives a minimum of five (5) votes, which shall represent a majority of the votes of the whole number of the Council. Any reference to a vote of the Council in any form, in this charter, shall be construed as defined herein. If at any

time a reduction in the Council membership by any means reduces the number of the Council to four (4) members, then the City Clerk shall immediately call a special election to be held on the 1st Tuesday following such thirty (30) days after the occurrence of the vacancy to fill any and all vacancies, including the position of Mayor, in the event that position is vacant. All persons elected under this provision shall file and be elected for the balance of the unexpired term of a specific vacant position. Council positions in each ward, which have been elected in odd numbered years shall be given Position 1, and those elected in even numbered years shall be Position 2. All elected officers shall take office at the first regular meeting following election. No ordinance shall become effective until thirty (30) days after its passage and publication, except for ordinances for appropriation of money, for the payment of current expenses of the City government. On any ordinances, which include an emergency clause, they shall become effective upon publication when passed by an affirmative vote of six (6) members of the City Council.

Section 6. The yeas and nays shall be taken upon the passage of all ordinances and resolutions and entered upon the journal of the proceedings of the City Council.

Section 7. The members of the City Council and Mayor shall receive no compensation for their services.

Section 8. The salaries and wages of all employees of the city not otherwise provided for by this charter shall be fixed and regulated by the Manager, subject to the approval of the City Council, on the basis of the responsibilities and qualifications required of them. Premiums on all surety company bonds of the city employees and officers, including the mayor and councilmen, shall be paid by the City.

ARTICLE FIVE EXECUTIVE AND ADMINISTRATIVE POWERS

Section 1. The City Council shall, by a majority of five (5) affirmative votes, appoint a City Manager who shall be chosen solely upon a basis of his executive and administrative qualifications, and who shall receive a salary to be fixed by the City Council. His tenure of office shall be at the pleasure of the majority of the whole number of the Council, and five (5) affirmative votes shall be required to terminate employment.

Section 2. Under the direction of the City Council, the City Manager shall be the administrative head of the municipal government. He shall devote his entire time to the affairs of the City.

Section 3. Before entering upon his duties, he shall take the official oath and shall give such surety company bond as the City Council may require and approve.

Section 4. The City Manager shall have the special powers and duties herein enumerated and shall be directly responsible to the City Council for the proper administration thereof, to-wit:

- (a) To see that all laws and ordinances of the City are enforced.
- (b) To appoint and remove at pleasure, subject to Civil Service ordinance if any be enacted, and except where otherwise by this charter provided, all heads, subordinates and employees of all departments, such appointments and removals to be made on the basis of merit and fitness alone, all such officers and employees to be qualified electors of the City of Chickasha except in the event of special technical services, non-

- residents may be employed with the consent and approval of the City Council.
- (c) To exercise actual management, control, and supervision over all departments of the City government and to exercise all other administrative functions, except as otherwise in this charter provided.
 - (d) To supervise and manage all public works and parks of the city and the repair and maintenance thereof; to manage and control the public utilities of the city and have general charge of the cleaning, lighting and improving of the streets, sidewalks, bridges and public grounds within and without the city, except as otherwise herein provided.
 - (e) To attend all meetings of the City Council and to recommend for adoption, such measures as he may deem necessary or expedient.
 - (f) To prepare and submit to the Council an annual budget as by this charter and as is by law required.
 - (g) To do and perform such other duties as may be prescribed by the City Council.
 - (h) In the event of absence, disability of or vacancy in the office of the City Manager, the Mayor shall perform the duties of City Manager, in which event, the Council may prescribe such compensation for the Mayor so acting as they deem just.

ADMINISTRATIVE DEPARTMENTS

Section 5. The City administration under the Manager shall be arranged into a Police Department, a Health Department, a Fire Department, a Street Department, a Water Department, and such other Departments as the Council may prescribe by ordinance.

- (a) The Police Department shall consist of a Chief of Police and as many other police officers as may be provided for and required.
- (b) The Department of Public Health shall consist of a health officer, and such other employees as may be necessary.
- (c) The Fire Department shall consist of a Fire Chief and as many firemen as may be required.
- (d) The Street Department shall consist of a Superintendent of Streets and such other employees as may be required.
- (e) The Water Department shall consist of a superintendent and such other employees as may be necessary.

Section 6. Neither the Mayor nor any other member of the City Council shall interfere or become involved with personnel matters, or directly with the administration of the City. Any officer violating this section shall forfeit his office.

The City Manager is responsible to the City Council as a whole and shall not be responsive to individual Council member wishes, which contradict established policies. The City Council shall establish over-all policies and guidelines under which the City Manager shall be responsible for carrying out all the administrative functions of the City.

Any Council member may make suggestions or recommendations to the City Manager at any time they deem necessary or appropriate on the operations of the City Government.

Section 7. The City Manager shall appoint a City Clerk of the City of Chickasha, who shall hold office at the pleasure of the City Manager, and who shall have all the powers and duties now prescribed by law or ordinance except as is in this

charter provided. He shall sign all warrants, collect all city revenue and fees, and shall deposit daily with the City Treasurer all city moneys collected by him from whatever source. He shall have the custody of, and be responsible for all books, papers, maps and records belonging to the City and not otherwise provided for, and shall perform all other duties that may be prescribed by ordinance. Before entering upon his duties he shall give such surety company bond as the City Council may require and approve.

Section 8. He shall prepare immediately after the close of every month's business and keep on file for the information of the Council and the general public, complete operating reports that show by classifications, the gross earnings, the operating expenses and the net profit or the net expense of each department separately and a combined operating report of all departments collectively, and a balance sheet must include a reasonable charge to cover depreciation of all physical property shown on the balance sheet and a charge to cover interest accrued on the investment shown on the balance sheet; such records and reports to begin and be kept and made not later than July 1, after election of first officers herein provided for.

Section 9. The City Council shall provide for and require an annual audit of the accounts of the City by some certified public accountant.

CITY TREASURER

Section 10. The City Council shall appoint a City Treasurer, who shall hold office at the pleasure of the Council and who shall have all the powers and duties now prescribed by law or ordinance except as in this charter provided. He shall have the custody of all moneys belonging to said city, which moneys shall be paid out only on the order of the City Council. The salary of the City Treasurer shall be fixed by the Council.

Section 11. Before entering upon his duties, the City Treasurer shall take the official oath and give such surety company bond as the City Council may require and approve.

Section 12. Before any City funds shall be placed in any depository, such depository shall furnish to the city sufficient security to be approved by the City Council, in an amount equal to the probable maximum balance that may be on deposit in such depository.

ARTICLE SIX FRANCHISES

Section 1. No franchise or right to occupy or use the streets, bridges, property or public places in said City of Chickasha shall be granted, renewed or extended, except in the manner provided by ordinances and in conformity to the Constitution of Oklahoma, and every grant or franchise of street, railway, gas, or water works, electric lights or pole franchise, or telegraph or telephone system or other public service utilities within said City, must be authorized or approved by a majority of the electors, voting thereon at a general or special election called for that purpose as provided by law.

Section 2. The City shall have the power to acquire by purchase, condemnation or otherwise within or without the city, such lands or property as may be necessary for the establishment, maintenance and operation of any public utility or to provide for and effectuate any other public purpose, and to sell, convey, encumber and dispose of the same for the common benefit; but no sale of any public utility shall be

made until it shall have been authorized by a vote of the qualified electors of the city voting thereon at a general or special election.

ARTICLE SEVEN
REVENUE

Section 1. All laws of the State of Oklahoma relating to revenue for and the fiscal management of cities are hereby made applicable to the City of Chickasha.

Section 2. Sections nine, ten, twenty-six and twenty-seven of Article Ten of the Constitution of Oklahoma, and the general laws of the State of Oklahoma vitalizing said provisions of the Constitution, are hereby made applicable to the City of Chickasha.

Section 3. **Repealed in its entirety** (*Amendment No. VI, Section 3, Res. No. 2000-17R, 11/06/2000*).

ARTICLE EIGHT
MUNICIPAL COURT

Section 1. The City of Chickasha shall establish by ordinance a Municipal Court System in conformity with the provisions of the State Statutes of the State of Oklahoma for the creation, maintenance, and operation of a Municipal Court System.

ARTICLE NINE
ELECTIONS

Section 1. The election of all officers under this charter shall be non-partisan.

Section 2. Each ward of the City will continue to be represented by two Council members. Each Council member shall be a resident and elector of the respective ward for which he/she seeks election. The election of Mayor and Council members shall be by all the qualified voters of the City. (*Refer to Amendment III, 03/05/1991*).

Section 3. A qualified elector for the position of Mayor or Council member shall possess the same qualifications as required by the laws of Oklahoma. However, any such elector must abide by and conform to nepotism provisions provided herein in order to qualify for elective office.

Section 4. On the second Tuesday in the month of March in each odd numbered years there shall be held an election for one (1) Council member from each ward who shall hold office for a term of two (2) years, and in each ward this Council position shall be known as Position 1. On the second Tuesday in the month of March of each even numbered year there shall be an election held for the election of one (1) Council member for each ward who shall hold office for a term of two (2) years, and in each ward this Council position shall be known as Position 2. (*Refer to Amendment IV, Section 4., Res. No. 91-27R, 09/26/1991*) (*Refer to Amendment VII, Section 4, Ord. No. 2004-24, 11/15/2004*).

Any candidate for the Council shall be a resident and elector of the respective ward for which he seeks election, and upon election, the Council member shall remain a resident of his respective ward for the full term of his office. Provided, however, that in the event of a change of the ward boundaries, which results in any Council member

no longer living in the ward for which he was elected, said Council member shall remain in office for the full term for which he was elected as representative of that ward. The Mayor shall be elected at large by all qualified electors of the City in even numbered years for a term of two (2) years. *(Refer to Amendment IV, Section 4., Res. No. 91-27R, 09/26/1991) (Refer to Amendment VII, Section 4, Ord. No. 2004-24, 11/15/2004).*

Section 5. Any qualified elector may become a candidate for Mayor or for City Council seat by filing a written notice of such intent with the City Clerk during the designated filing period. The filing period shall begin on the first Monday of February and shall continue for a period of three (3) days. There shall be a filing fee assessed by the City Clerk in the amount of twenty-five dollars (\$25.00) for each person who files for elective office and said filing fee shall not be refundable after the closing of the filing period. No candidate may withdraw his name from the ballot after the filing period has closed. *(Refer to Amendment IV, Section 5., Res. No. 91-27R, 09/26/1991).*

Section 6. In any election held hereunder, the candidate for office who receives the plurality of votes cast in such election of such office shall be deemed elected. Officers elected hereunder shall take office on the first Monday in April and thereafter, shall hold office for a term of two (2) years or until their successors are elected and qualified or until there is a vacancy. In the case of a special election, as provided herein, the officers elected shall take office the first regular meeting after the election. *(Refer to Amendment IV, Section 6., Res. No. 91-27R, 09/26/1991).*

Section 7. All registrational laws of the State of Oklahoma shall be applicable to all elections held under this charter, and only persons registered as provided by law shall be entitled to vote. All election laws of the State of Oklahoma, including crimes, penalties, and contests, are hereby made applicable to elections held in this City.

Section 8. All special elections held in said City shall be upon the call of the Mayor, for any purpose, with the concurrence of the City Council with five (5) affirmative votes, and in accordance with the terms and provisions of the Constitution and the laws of the State of Oklahoma. Special elections provided for within this charter by the City Clerk shall follow all applicable provisions of State Law. The Clerk shall give a thirty (30) day public notice of election and provide for a three (3) day filing period ending ten (10) days prior to the election. Failure of the City Clerk to comply with the provisions of calling a special election shall be grounds for immediate dismissal.

Section 9. A vacancy shall exist when the elective officer fails to qualify within twenty (20) days after his election, dies, resigns, or in the case of the Mayor, removes from the City, or in the case of a Council member, removes from the ward of which he was elected, or if any elected officer is convicted of a felony or is otherwise legally disqualified as provided by Statute or Charter Provisions.

Section 10. If a vacancy occurs in any elected position including the Mayor or Council member, the Council may appoint a replacement to fill the vacant position with five (5) affirmative votes and said appointment must be made no later than the third regular, scheduled Council meeting following the Council meeting in which the resignation is received. *(Refer to Amendment VI, Section 10, Res. No. 2000-17R, 11/06/2000).*

The Council, if filling a vacancy for the position of Mayor, may appoint an existing member of the Council, Vice Mayor, or a citizen-at-large. *(Refer to Amendment VI, Section 10, Res. No. 2000-17R, 11/06/2000).*

If the City Council is unable to fill the vacancy by five (5) affirmative votes at the third regular meeting following the vacancy, then the City Council shall be required to immediately authorize the Mayor to call a Special Election on the first Tuesday after thirty (30) days Public Notice and a three (3) day filing period shall be established and shall end ten (10) days prior to the date of the election. *(Refer to Amendment VI, Section 10, Res. No. 2000-17R, 11/06/2000).*

However, no election shall be held if ninety (90) days exist prior to the next regular City Election. *(Refer to Amendment VI, Section 10., Amended Res. No. 2000-17R, 11/06/2000).*

Section 11. The City Council shall have the power to pass all necessary ordinances to fully vitalize all provisions of this charter relating to elections.

Section 12. Article 18 of the Constitution of the State of Oklahoma, under the title "Municipal Corporations", and every section thereafter, including initiative and referendum and all other provisions of said Article 18, is hereby adopted and made to be in full force and effect for the government of the City of Chickasha.

ARTICLE TEN BOARDS AND COMMISSIONS

Section 1. The City Council of the City of Chickasha shall establish by ordinance such advisory boards and commissions as it may deem necessary. It is intended that the City Council be guided in the creation of any and all such boards or commissions by the greatest good for the City of Chickasha, and the most efficient and effective management of the City business.

Section 2. The City Council shall establish an Advisory Library Board. The City Manager shall be responsible for all employees, operations and management of the Library. The Library Board will submit all recommendations pertaining to the operation of the Library to the City Manager. The adoption of these recommendations shall be subject to the approval of the City Manager.

ARTICLE ELEVEN PARKS

Section 1. All parks belonging to or under the control of the City and used for park purposes, or which may be acquired for park purposes, within or without said city, shall be under the management and control of the City Manager.

ARTICLE TWELVE SPECIAL IMPROVEMENTS

Section 1. The City of Chickasha shall have the power to construct or cause to be constructed special improvements consisting of curbing and guttering, grading, paving or surfacing of streets, including surface drainage of such streets and disposition of same by storm sewers, storm sewer systems constructed separately from paving; sanitary sewer systems and ornamental street light.

Section 2. Proceedings looking to the installation of any of the special improvements hereinabove listed in Section One, and proceedings looking to the payment of said improvements by the people of Chickasha shall be instituted,

conducted, and maintained as by the General Laws of the State of Oklahoma provided relating to Cities of the First Class in Oklahoma.

ARTICLE THIRTEEN
AMENDMENT TO CHARTER

Section 1. This charter may be amended by proposal therefore submitted by the City Council to the qualified electors of the city, or by petition as provided by law, at a general or special election, and when ratified by a majority of the qualified electors voting thereon, and approved by the Governor, as herein provided for the approval of the Charter, such amendment shall take effect and be in force.

ARTICLE FOURTEEN
GENERAL PROVISIONS

Section 1. The City Council shall require good and sufficient bonds for all contractors, with sufficient surety who shall be residents of the State of Oklahoma, except non-resident surety and bonding companies, domesticated and authorized to transact business in Oklahoma.

Section 2. No contract shall be entered into by the City Council until an appropriation has been made therefore nor in excess of the amount appropriated and all contracts shall be made upon specifications. No contract shall be binding upon the city unless it has been signed by the Mayor and countersigned by the City Clerk, and the expenses thereof charged to the proper fund, liable for payment of the same, and whenever the contract charged to any fund equals the appropriation made therefore, no further contract shall be signed by the Mayor or Clerk, the payment of which would come from such funds.

Section 3. All contracts of whatever character pertaining to public improvements, or maintenance of the public property of said city, involving an outlay of as much as Three Thousand Five Hundred Dollars (\$3,500.00) shall be based upon specifications, to be prepared and submitted to and approved by the City Council, and after approval by City Council, advertisements for the proposed work or matter embraced in said contract shall be made, inviting competitive bids for the work to be done, which advertisement shall be published in a newspaper of general circulation in said city, and all bids submitted shall be sealed, and shall be opened by the City Manager or his designee with said bid opening being open to members of the public and all bidders, and the bids shall remain on file in the office of the clerk to be open to public inspection. However, if an emergency arises, the City Council at its discretion by majority vote shall be authorized to make expenditures exceeding Three Thousand Five Hundred Dollars (\$3,500.00) without bid or advertisement therefore by declaring an emergency and said emergency shall be deemed to be a true emergency and must be vital to the health and welfare of the citizens of the City of Chickasha. *(Refer to Amendment V, Section 3., Res. No. 96-31R, 09/03/1996.*

Section 4. All legal process against the city shall be served upon the Mayor or the acting Mayor in his absence.

Section 5. The property, real and personal, belonging to said city, shall not be liable to be sold or appropriated under any writ or execution or cost bill, or forced sale, nor shall the funds belonging to said City in the hand of any person be liable to garnishment for any debt it may own or funds it shall have due from any person, nor

shall said City be required to answer any writ or garnishment on any account whatsoever.

Section 6. No officer or employee of said city shall give or promise to give to any other person, any portion of his compensation or any money or valuable thing or promise of employment to any person, in consideration of having been or being nominated, appointed, voted for or elected to any office of employment, and if such promise or gift be made, the person making or accepting such gifts or promise shall forfeit his office or employment and be debarred and disqualified from being elected, appointed, or employed in the service of said city.

Section 7. Any officer of said city who shall, while in office accept any donation or gratuity in money or other valuable thing, either directly or indirectly from any person or corporation dealing with the city, or any subordinate or employee or from any candidate or applicant for any position as employee or subordinate under him shall forfeit his office and be forever debarred and disqualified from holding any position in the service of the city.

Section 8. Neither the Mayor or any member of the City Council nor appointed employee of the city, shall be directly in the employ of any person, company or corporation holding or seeking to hold any franchise of the city or shall receive directly any wages, commission gifts, or favor or payment from any such franchise holder; and any violation of this section shall render vacant, ipso facto, the position held by the person so violating it.

Section 9. No member of the City Council or any other officer of the city shall be directly financially interested in any work, business or contracts, the expense, price or consideration of which is paid from the treasury or by any assessment levied by ordinance or resolution of the City Council; nor surety of any person having any contract work or business with said city for the performance of which security may be required, nor be the surety on the official bond of any officer of the city. Contracts in violation of this provision shall be void.

Section 10. Every officer who shall approve, allow or pay any demand on the treasury not authorized by law, or by this charter, shall be liable to said city individually and on his official bond for the amount of the demand so illegally approved, allowed or paid.

Section 11. All writs, subpoenas, or other process issuing out of the municipal court shall run in the name of the City of Chickasha, and may be executed and served by the Chief of Police or his deputies or policemen of said city; provided that the city shall never be liable for the cost of any proceeding in the police court, and provided further that such process shall not be served outside of the City of Chickasha.

Section 12. The City of Chickasha shall have and exercise general powers over its streets, alleys and public property and may prescribe all rules and ordinances deemed expedient for the preservation and protection thereof.

Section 13. The enumeration of general and particular powers herein shall never be held or construed to be a circumscription of or limitation upon any powers whenever or wherever elsewhere provided, fixed, given, granted, invested or implied under either the constitution or laws of Oklahoma, it being the intention by the proposition and adoption of the Charter to reserve and confer upon the inhabitants of the City of Chickasha the entire right, full power and unrestricted privileged self-government, such right, power and privilege, however, to be held and exercised

comfortably with and not violative of the Constitution and laws of the State of Oklahoma.

Section 14. No person may be employed by the City of Chickasha if related to the City Manager, any member of the City Council, or the Mayor within the third degree by affinity of consanguinity. If any elector desires to run for elective position on the City Council or for Mayor of the City of Chickasha, they shall be declared ineligible if any existing employee of the City of Chickasha is related within the third degree by affinity of consanguinity to such prospective candidate.

Section 15. A quorum shall consist of five (5) members of the City Council and five (5) members shall be necessary to conduct the business of the City. For the purposes of determining a quorum, the Mayor is not considered a member of the City Council.

Section 16. The Office of the City Attorney is hereby established and the City Attorney shall be appointed and serve at the pleasure of the City Manager subject to the approval of the City Council on a yearly basis.

Section 17. Each Council member and the Mayor shall be required to regularly attend official Council Meetings. Any person that Council seats shall be declared automatically vacant if (a) attendance is less than seventy-five percent (75%) of the Council Meetings in any twelve (12) month period; (b) if more than fifty percent (50%) of any Council Meetings are missed in any six (6) month period; (c) if any four (4) consecutive Council Meetings are missed. If any such vacancies shall occur, the Council shall fill such vacancy as provisions contained with the charter.

ARTICLE FIFTEEN REMOVAL OF OFFICERS

Section 1. There is hereby established a procedure for the removal of an elective official of the City of Chickasha. Said removal shall be initiated with the filing of a petition with the City Clerk containing the signatures and names of at least twenty-five percent (25%) of those electors who voted for the particular elective office in question in the last City Council election. This petition shall contain the reasons for the removal of said official in not more than two hundred (200) words. The Clerk shall see that said petition is served upon the officer and return of service shall be provided for. The officer shall then have five (5) days after the service to reply, which said reply shall be not more than two (200) words.

Section 2. Within thirty (30) days after the filing of the reply, the Clerk shall cause to be published in a newspaper of general circulation in the City of Chickasha, Notice to the Electors for the office to be vacated, advising that a petition for re-call and the reply, if any, has been filed in the City Clerk's office. This publication shall further advise the electors of the ward from whence the elected official in question is from and that the electors may appear at the City Clerk's office and sign forms indicating their desire that the office in question be placed up for election by the City for a period of thirty (30) days following the publication, the Clerk shall make proper forms available for signing in her office by the qualified electors, indicating their desire that the office in question shall be placed up for election by the City. These forms shall be available during regular business hours during all business days in the thirty (30) days following the publication. If, at the conclusion of thirty (30) days the Clerk's office has received the signature of fifty percent (50%) of the qualified electors who voted in the last city Council election for the particular office in question, then said elective office shall be placed up for election and the Clerk shall declare that office to be immediately vacated

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Amendments to the Chickasha City Charter.

Amendment I

Article Four, Section 5, of the Chickasha City Charter shall be amended by adding the following:

Any ordinance or resolution requiring a three fourths (3/4) majority shall be deemed to have passed when it has received the affirmative vote of six (6) members of the City Council, or more.

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Amendments to the Chickasha City Charter.

Amendment II

REPEALED IN ITS ENTIRETY

(Amended Res. No. 2000-17R, 11/06/2000).

Article Seven of the Chickasha City Charter shall be amended by adding Section 3 as follows:

REPEALED IN ITS ENTIRETY

~~Section 3. "Prior to any increase in basic utility rates charged by the City of Chickasha, including charges made for water, sewer or garbage disposal services, such proposed increase must be submitted to the qualified electors of the City at the next regular general municipal election or at a special election called for such purpose, for their approval or rejection. No increase in the utility rates charged by the City shall become effective until approved by a simple majority of the electors at such election."~~
(Amended Res. No. 2000-17R, 11/06/2000).

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Amendments to the Chickasha City Charter.

Amendment III

Article Nine, Elections, Section 2 of the Charter of the City of Chickasha, Grady County, Oklahoma, a Municipal Corporation of the State of Oklahoma, be amended and revised to read as follows:

Each ward of the City will continue to be represented by two Council members. Each Council member shall be a resident and elector of the respective ward for which he/she seeks election. The election of the Mayor and Council members shall be by all the qualified voters of the City. (03/05/1991.)

This Charter Revision, as presented to an Election of the citizens of Chickasha on March 5, 1991, and forwarded to the Governor of the State of Oklahoma for his ratification.

/s/ Charles R. Ferguson
Mayor

ATTEST:

/s/ Sharon Chapman _____
City Clerk

This charter is hereby approved by Governor David A. Boren, Governor of the State of Oklahoma, and duly executed this 21st day of June 1991.

/s/ David Walters
Governor, State of Oklahoma

ATTEST:

/s/ John Kennedy _____
Secretary of State

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Amendments to the Chickasha City Charter.

Amendment IV

Article Nine, Elections, Section 4, Section 5, and Section 6 of the Chickasha City Charter shall be amended by changing Section 4, Section 5, and Section 6 as follows:

Section 4. On the second Tuesday in the month of March in each odd numbered year there shall be an election for one (1) Council member from each ward who shall hold office for a term of two (2) years, and in each ward this Council position shall be known as Position 1. On the Second Tuesday in the month of March of each even numbered year there shall be an election held for the election of one (1) Council member for each ward who shall hold office for a term of two (2) years, and in each ward this Council position shall be known as Position 2.

Any candidate for the Council shall be a resident and elector of the respective ward for which he seeks election, and upon election, the Council member shall remain a resident of his respective ward for the full term of his office. Provided, however, that in the event of a change of the ward boundaries, which results in any Council member no longer living in the ward for which he was elected, said Council member shall remain in office for the full term for which he was elected as representative of that ward. The Mayor shall be elected at large by all qualified electors for the City in even numbered years for a term of two (2) years.

Section 5. Any qualified elector may become a candidate for Mayor or for City Council seat by filing a written notice of such intent with the City Clerk during the designated filing period. The filing period shall begin on the first Monday of February and shall continue for a period of three (3) days. There shall be a filing fee assessed by the City Clerk in the amount of twenty-five dollars (\$25.00) for each person who files for elective office and said filing fee shall not be refundable after the closing of the filing period. No candidate may withdraw his name from the ballot after the filing period has closed.

Section 6. In any election held hereunder, the candidate for office who receives the plurality of votes cast in such election of such office shall be deemed elected. Officers elected hereunder shall take office on the first Monday in April and thereafter, shall hold office for a term of two (2) years or until their successors are elected and qualified or until there is a vacancy. In the case of a special election, as provided herein, the officers elected shall take office the first regular meeting after the election. (*Amended Res. No. 91-27R, 09/26/1991*).

This Charter Revision, as presented to an Election of the citizens of Chickasha on November 19, 1991 forwarded to the Governor of the State of Oklahoma for his ratification.

/s/ Charles R. Ferguson
Mayor

ATTEST:

/s/ Sharon Chapman _____
City Clerk

This charter is hereby approved by Governor David A. Boren, Governor of the State of Oklahoma, and duly executed this 31st day of December 1991.

/s/ David Walters
Governor,
State of Oklahoma

ATTEST:

/s/ John Kennedy
Secretary of State

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Amendments to the Chickasha City Charter.

Amendment V

Article Fourteen, General Provisions; Section 3 of the Chickasha City Charter shall be amended by modifying Section 3 as follows:

Section 3. All contracts of whatever character pertaining to public improvements, or maintenance of the public property of said City, involving an outlay of as much as THREE THOUSAND FIVE HUNDRED DOLLARS (\$3,500.00) shall be based upon specifications, to be prepared and submitted to and approved by the City Council, and after approval by the City Council, advertisements for the proposed work or matter embraced in said contract shall be made, inviting competitive bids for the work to be done, which advertisement shall be published in a newspaper of general circulation in said City, and all bids submitted shall be sealed, and shall be opened by the City Manager or his designee with said bid opening being open to members of the public and all bidders, and the bids shall remain on file in the office of the clerk and be open to public inspection. However, if an emergency arises, the City Council, at its discretion by majority vote shall be authorized to make expenditures exceeding THREE THOUSAND FIVE HUNDRED DOLLARS (\$3,500.00) without bid or advertisement therefore by declaring an emergency and said emergency shall be deemed to be a true emergency and must be vital to the health and welfare of the citizens of the City of Chickasha. (*Amended Res. No. 96-31R, 09/03/1996*).

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This Charter revision, as presented to an election of the citizens of Chickasha on November 5, 1996, is hereby adopted, certified and authenticated this 2nd day of December 1996, and forwarded to the Governor of the State of Oklahoma for his ratification.

/s/ Harold Jackson
Mayor

ATTEST:

/s/ Sharon Chapman
City Clerk

This Charter is hereby approved by Governor Frank Keating, Governor of the State of Oklahoma, and duly executed this 29th day of January 1997.

/s/ Frank Keating
Governor

ATTEST:

/s/ Dawn Amundsen
Secretary of State, Assistant

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Amendments to the Chickasha City Charter.

Amendment VI

Article Two, Corporate Powers, Rights and Liabilities, Section 2 of the Charter of the City of Chickasha shall be amended and shall hereinafter read as follows:

Section 2. It shall succeed to all the property rights and liabilities and shall acquire all benefits, and shall assume and pay all bonds, legal obligations, and indebtedness of said City of Chickasha, and by that name sue and be sued, may contract and be contracted with, plead and be impleaded, intervene, prosecute and defend in all courts and in all matters and proceedings; and shall have the power to acquire property, real or personal, by purchase or otherwise, within or otherwise dispose of any real or personal property, within or outside of the City limits; may have and use a common seal and alter the same at pleasure. The City may dispose of real property with a County Assessor appraised value of Twenty-Five Thousand Dollars (\$25,000.00) or less by majority vote of the City Council. Any real property with a County Assessor appraised value of more than Twenty-Five Thousand Dollars (\$25,000.00) shall require majority affirmative vote of the electors in a special or general election. *(Amended Res. No. 2000-17R, 11/06/2000).*

Article Four, Corporate Powers – How Vested and Executed, Section 3 of the Charter of the City of Chickasha, shall be amended and shall hereinafter read as follows:

Section 3. The City Council, from its members, shall appoint a Mayor Pro Tempore, who shall act as Mayor in the absence of the Mayor, and in the absence of both, the City Council shall designate one of their number to act as Mayor, who in such case, shall have all the powers of Mayor. The Mayor shall preside at all meetings of the City Council, and in his official capacity shall sign all ordinances, resolutions, orders and proceedings of the City Council, and all warrants, bonds, bills, documents and proceedings authorized by the Council, and he shall have power to administer oaths, and shall perform such other duties consistent with his office as may be imposed by the City Council. He shall be recognized as the official head of the City for all ceremonial purposes, by the courts, for the purpose of serving civil process and by the Governor for military purposes. In the time of public danger or emergency, he may, with the consent of a majority of the City Council, take command of the police and maintain order and enforce the laws. The Mayor will vote as a member of the Council. *(Amended Res. No. 2000-17R, 11/06/2000).*

SECTION 3. Repealing in its entirety, Article Seven, Section 3 (Amendment II) of the Charter of the City of Chickasha, which currently reads as follows:

“Prior to any increase in basic utility rates charged by the City of Chickasha, including charges made for water, sewer or garbage disposal services, such proposed

increase must be submitted to the qualified electors of the City at the next regular general municipal election or at a special election called for such purpose, for their approval or rejection. No increase in the utility rates charged by the City shall become effective until approved by a simple majority of the electors at such election.” *(Amended Res. No. 2000-17R, 11/06/2000)*. **Repealed in its entirety.**

Article Four, Corporate Powers – How Vested and Executed, Section 4 of the Charter of the City of Chickasha, shall be amended and shall hereinafter read as follows:

Section 4. The City Council shall hold regular meetings at least once each month, the time therefore to be prescribed by resolution for the transaction of business and shall hold such other regular or special meetings as the City Council may, by resolution, enact. Provided that the Mayor, when in his judgment, the business of the City may require a special meeting or emergency meeting, may call such meetings of the City Council, at any time, by giving written notice to all members of the City Council and such other notice as may be required by the Oklahoma Open Meeting Act; and provided further that the Mayor shall call a special meeting upon an affirmative request of five (5) of the members of the Council, who shall sign and present to him a written request stating the time and object of the meeting. All meeting of the City Council and its proceedings shall be held at the Council Chambers of the City Hall or at some other appropriate place designated by the City Council, and must be open to the general public. *(Amended Res. No. 2000-17R, 11/06/2000)*.

Article Nine, Elections, Section 10 of the Charter of the City of Chickasha shall be amended and shall hereinafter read as follows:

Section 10. If a vacancy occurs in any elected position, including the Mayor or Council member, the Council may appoint a replacement to fill the vacant position with five (5) affirmative votes and said appointment must be made no later than the third regular scheduled Council meeting following the Council meeting in which the resignation is received.

The Council, if filling a vacancy for the position of Mayor, may appoint an existing member of the Council, Vice Mayor or a citizen-at-large.

If the City Council is unable to fill the vacancy by five (5) affirmative votes by the third regular meeting following the vacancy, then the City Council shall be required to immediately authorize the Mayor to call a Special Election on the first Tuesday after thirty (30) days Public Notice and a three (3) day filing period shall be established and shall end ten (10) days prior to the date of the election.

However, no election shall be held if ninety (90) days exist prior to the next regular City Election. *(Amended Res. No. 2000-17R, 11/06/2000)*.

This Charter revision, as presented to an election of the citizens of Chickasha on January 9, 2001, is hereby adopted, certified and authenticated, and forwarded to the Governor of the State of Oklahoma for his ratification.

/s/J.E. Parker

Mayor

TTEST:

/s/ Sharon Chapman
City Clerk

This Charter is hereby approved by Governor Frank Keating, Governor of the State of Oklahoma, and duly executed this 12th day of March 2001.

/s/ Frank Keating
Governor

ATTEST:

/s/Mike Hunter
Secretary of State

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Amendments to the Chickasha City Charter.

Amendment VII

Article Nine, Elections, Section 4 of the Charter of the City of Chickasha shall be amended and revised and shall hereinafter read as follows:

Section 4. On the First Tuesday in the month of March in each odd-numbered year there shall be an election for one (1) Council member from each ward who shall hold office for a term of two (2) years, and in each ward this Council position shall be known as Position 1. On the Second Tuesday in the month of March of each even-numbered year there shall be an election held for the election of one (1) Council member for each ward who shall hold office for a term of two (2) years, and in ward this Council position shall be known as Position 2.

Any candidate for the Council shall be a resident and elector of the respective ward for which he seeks election, and upon election the Council Member shall remain a resident of his respective ward for the full term of his office. Provided, however, that in the event of a change of the ward boundaries which results in any Council member no longer living in the ward for which he was elected, said Council member shall remain in office for the full term for which he was elected as representative of that ward. The Mayor shall be elected at large by all qualified electors for the City in even-numbered years for a term of two (2) years. (*Amended Ord. No. 2004-24R, 11/15/2004*).

This Charter revision, as presented to an election of the citizens of Chickasha on November 15, 2004, is hereby adopted, certified and authenticated, and forwarded to the Governor of the State of Oklahoma for his ratification.

/s/J.E. Parker

Mayor

TTEST:

/s/ Sharon Chapman
City Clerk

This Charter is hereby approved by Governor Frank Keating, Governor of the State of Oklahoma, and duly executed this 14th day of July 2005.

/s/ Brad Henry

Governor

ATTEST:

/s/M. Susan Savage
Secretary of State