CHARTER ORDINANCE NO. 106

A CHARTER ORDINANCE introduced by Daniel R. Stanley, Interim City Manager, repealing City of Topeka Code § A15-4, as established by Charter Ordinance No. 28, concerning the cash basis law.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF TOPEKA, KANSAS:

Section 1. That section A15-4, established by Charter Ordinance No. 28, of the Code of the City of Topeka, Kansas, is hereby repealed.

Cash basis law.

The provisions of K.S.A. 10-1101 through 10-1122 shall not apply to contracts and indebtedness created, when payment has been authorized by a vote of the electors of the municipality, or when provision has been made for payment by the issuance of bonds as provided by law, or when provision has been made for payment by the issuance of no-fund warrants authorized by law and in the manner, and limited in amount as prescribed by law, or to a revolving fund set up as an operating fund for the operation of any municipal airport and the receipts from the operation of such airport in any case where provision has been made by the city, or board of park commissioners, or other agency designated and authorized to operate a municipal airport for a revolving fund to be set up either out of its budget or by accumulation of receipts collected from the operation of such airport as an operating fund for the operation of such airport when such operating fund and the receipts collected from the operation of such airport are essential to the more efficient operation or greater use of such airport and in which the operating expenditures of said airport are financed and sustained partially or wholly by fees, rentals, proceeds from the sale of merchandise, or charges for rendering services, received from the users of such airport, or to a special recreation facilities reserve set up by any board of park commissioners for a revolving fund for the repair, replacement, or addition to the recreational facilities of such city, or to an enterprise fund set up to account for the financing of self-supporting activities of governmental units which render
services on a user charge basis to the general public such as public utilities engaged in
the provision of water, electricity and natural gas, sanitary sewer systems, refuse and
solid waste landfill systems which are financed by user charges, or to an
intragovernmental service fund or working capital fund established to finance and
account for services and commodities furnished by a designated agency of a
governmental unit to other departments of the same governmental unit such as funds
established for central garages and motor pools, central printing and duplicating
services, central purchasing and stores departments, airport authorities, bus companies
or mass transit authorities and public golf courses.

Section 2. This Ordinance shall be published once each week for two (2)
consecutive weeks in the official City newspaper.

Section 3. This Charter Ordinance shall take effect sixty-one (61) days after
final publication unless a sufficient petition for a referendum is filed and a referendum
held on this Charter Ordinance as provided in Article 12, Section 5, Subdivision (c)(3),
of the Kansas Constitution, in which case this Charter Ordinance shall become effective
if approved by a majority of the electors voting therein.

Section 4. Upon the effective date of this Charter Ordinance, this Charter
Ordinance shall be recorded by the City Clerk in a book maintained for such purposes
with a statement of the manner of adoption and a certified copy shall be filed with the
Secretary of State of the State of Kansas.

PASSED AND APPROVED by the Governing Body on November 1, 2011.

CITY OF TOPEKA, KANSAS

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ATTEST: William W. Bunten, Mayor

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Brenda Younger, City Clerk
STATEMENT OF MANNER OF ADOPTION OF FOREGOING

The foregoing Charter Ordinance No. 106 was passed on the 1st day of November, 2011, as shown by the minutes, Book 2011 Page 451, by a vote of 8 for and 0 against, being not less than two-thirds (2/3) of the members-elect of the governing body, published in the Topeka Metro News, the official city newspaper, on the 7th day of November, 2011, and on the 14th day of November, 2011, being once each week for two (2) consecutive weeks, and there being no petition demanding a referendum filed with the City Clerk within sixty (60) days after the final publication, said Charter Ordinance took effect on the 14th day of January, 2012.

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Brenda Younger, City Clerk

CERTIFICATE

CITY OF TOPEKA )
COUNTY OF SHAWNEE ) ss:
STATE OF KANSAS )

I, Brenda Younger, City Clerk of the City of Topeka, County of Shawnee, State of Kansas, do hereby certify that the above and foregoing, consisting of 3 typewritten pages, including the page upon which this Certificate is written, is a full true and correct copy of Charter Ordinance No. 106 of the said City of Topeka, that all acts and things required by Article 12, Section 5 of the Constitution of the State of Kansas were done and performed in the manner and within the time prescribed and that said Ordinance became effective on the 14th day of January, 2012.

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Brenda Younger, City Clerk