ORDINANCE NO. 1882

AN ORDINANCE introduced by Mayor James A. McClinton relating to the zoo, amending City of Topeka Code §§ 2-328, 102-304, 102-305, 102-306, 102-307, and 102-308 and specifically repealing said original sections.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. Topeka City Code § 2-328, Zoo improvement reserve fund, is hereby amended to read as follows:

Zoo improvement reserve fund.

(a) There is hereby created a zoo improvement reserve fund. The fund is established for the purpose of providing a depository for moneys to be used for capital improvements at the city zoo.

(b) The fund shall receive 50 percent of zoo fund revenue, all net proceeds from zoo concessions, grants or donations from either public or private sources, interest on the funds held in the fund, and any other fund having available resources and legal authority to be so deposited or transferred. All such transfers shall be subject to budget appropriations and shall be specifically authorized by resolution of the city council. All expenditures from the fund shall only be for the purpose stated in this section and shall only be made upon approval by resolution of the city council.

Section 2. Topeka City Code § 102-304, Protection of zoo, is hereby amended to read as follows:

Protection of zoo.

The governing body shall, when deemed necessary, pass such ordinances as
will enable the department of parks Topeka Zoological Park and the Topeka Friends of the Zoo, Inc., to efficiently protect and care for the dedicated property and to promote the purposes of the Topeka Zoological Park.

Section 3. Topeka City Code § 102-305, Concessions, is hereby amended to read as follows:

Concessions

The department of parks and recreation Topeka Zoological Park is hereby granted exclusive authority to operate concessions, by way of purchasing and selling products or by authorizing a third party to provide concessions, at the Topeka Zoological Park. Proceeds from such concessions, if operated by the department of parks and recreation Topeka Zoological Park, shall be credited to the revenue account of the park zoo fund, and shall be first used to pay the expenses thereof, and any excess shall be used for the operation, maintenance and improvement of the Topeka Zoological Park.

Section 4. Topeka City Code § 102-306, Admission fees, is hereby amended to read as follows:

Admission fees.

The department of parks and recreation Topeka Zoological Park shall establish all fees for admission to the Topeka Zoological Park which shall be reviewed and approved as part of the budget process.
Section 5. Topeka City Code § 102-307, Waiver of fees, is hereby amended to read as follows:

Waiver of fees.

The director of parks-and-recreation the Topeka Zoological Park shall have during winter months and other periods of inclement weather, full discretion to determine what days and what hours the admission fees established under section 102-306 shall be charged; and the director of parks-and-recreation the Topeka Zoological Park shall have full discretion during such winter months and other periods of inclement weather to allow admission to the zoological park without charge.

Section 6. Topeka City Code § 102-308, Disposition of fees, is hereby amended to read as follows:

Disposition of fees.

All monies derived from the fees established in section 102-306 shall first be set aside, deposited into the zoo fund and used and applied for the general operation of the zoo payment of principal and interest currently maturing on general obligation bonds issued to construct the large mammal building in the zoo area; second, to pay for the reasonable and necessary expenses incurred in collecting the admission charges, including but not limited to paying the salary of the ticket seller and the necessary charges for constructing and maintaining the ticket booth; with any excess of the amounts required as aforesaid to be set aside and used exclusively for construction or improvement of the zoo.

Section 7. That original City of Topeka Code §§2-328, 102-304, 102-305, 102-306, 102-307, and 102-308 are hereby specifically repealed.

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Section 8. This Ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

PASSED AND APPROVED by the Council of the City of Topeka     MAR 02 2004

James A. McClinton, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 2/6/04
TO BE CODIFIED X
NOT TO BE CODIFIED

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