ORNIDANCE NO. 18562


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

Section 1. That City of Topeka Code § 102-301, Statement of purpose, is hereby repealed.

Statement of purpose.

(a) The governing body hereby finds that the Topeka Zoological Park, dedicated and established pursuant to section 102-302 of the Code, shall be utilized for the purpose of providing the citizens of Topeka and others with opportunities to learn about our natural work, to increase scientific knowledge that benefits nature conservation, to support conservation of endangered populations and habitats, and to participate in activities that improve the quality of life in the community.

(b) These opportunities can best be provided in partnerships with support groups such as the Friends of the Topeka Zoo, Inc., and the Topeka Zoological Foundation and in cooperation with local, state, national and international education and conservation institutions, organizations and governments.

Section 2. That City of Topeka Code § 102-302, Dedication, is hereby repealed.

Dedication.

There is hereby appropriated and dedicated as Topeka Zoological Park the following described tract of land:
The northeast corner of Gage Park containing the zoo area.

Section 3. That City of Topeka Code § 102-303, Advisory body, is hereby repealed.

Advisory body.

The Topeka Friends of the Zoo, Inc., is hereby recognized as an advisory body of the Topeka Zoological Park.

Section 4. That City of Topeka Code § 102-304, Protection of zoo, is hereby repealed.

Protection of zoo.

The governing body shall, when deemed necessary, pass such ordinances as will enable the 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 5. That City of Topeka Code § 102-305, Concessions, is hereby repealed.

Concessions.

The 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 Topeka Zoological Park, shall be credited to the revenue account of the 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 6. That City of Topeka Code § 102-306, Admission fees, is hereby repealed.

Admission fees.

The 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 7. That City of Topeka Code § 102-307, Waiver of fees, is hereby repealed.

Waiver of fees.

The director of 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 the Topeka Zoological Park shall have full discretion during such winter months and other periods of inclement weather to allow admission to the zoo without charge.

Section 8. That City of Topeka Code § 102-308, Disposition of fees, is hereby repealed.

Disposition of fees.

All monies derived from the fees established in section 102-306 shall be deposited into the zoo fund and used and applied for the general operation of the zoo.

Section 9. That City of Topeka Code is hereby amended by the addition of the following:

CHAPTER 164

ZOOGICAL PARK
Section 10. That City of Topeka Code § 164-1, Statement of purpose, is hereby created by the addition of the following language:

Statement of purpose.

(a) The governing body hereby finds that the Topeka Zoological Park, dedicated and established pursuant to City of Topeka Code § 164-2 shall be utilized for the purpose of providing the citizens of Topeka and others with opportunities to learn about our natural world, to increase scientific knowledge that benefits nature conservation, to support conservation of endangered populations and habitats, and to participate in activities that improve the quality of life in the community.

(b) These opportunities can best be provided in partnerships with support groups such as the Friends of the Topeka Zoo, Inc. and the Topeka Zoological Foundation, and in cooperation with local, state, national and international education, and conservation institutions, organizations and governments.

Section 11. That City of Topeka Code § 164-2, Dedication, is hereby created by the addition of the following language:

Dedication.

There is hereby appropriated and dedicated as Topeka Zoological Park the following described tract of land:

The northeast corner of Gage Park containing the Zoological Park area.

Section 12. That City of Topeka Code § 164-3, Advisory body, is hereby created by the addition of the following language:

Advisory body.
The Topeka Friends of the Zoo, Inc., is hereby recognized as an advisory body of the Zoological Park Department.

Section 13. That City of Topeka Code § 164-4, Protection of zoo, is hereby created by the addition of the following language:

Protection of zoo.

The governing body shall, when deemed necessary, pass such ordinances as will enable the Zoological Park Department 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 14. That City of Topeka Code § 164-5, Concessions, is hereby created by the addition of the following language:

Concessions.

The Zoological Park Department 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 Zoological Park Department, shall be credited to the revenue account fund established by the Director of Budget and Financial Services pursuant to City of Topeka Code § 2-321 and shall first be used to pay the expenses thereof, and any excess shall be used for the operation, maintenance, and improvement of the Topeka Zoological Park.

Section 15. That City of Topeka Code § 164-6, Admission fees, is hereby created by the addition of the following language:

Admission fees.
The Director of the Zoological Park Department shall establish all fees for admission to the Topeka Zoological Park which shall be subject to the review and approval of the City Council as part of the budget process. No changes may be made to the admission fees without the consent of the City Council.

Section 16. That City of Topeka Code § 164-7, Waiver of fees, is hereby created by the addition of the following language:

Waiver of fees.

The Director of the Zoological Park Department 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 City of Topeka Code § 164-6 shall be charged; and the Director of the Zoological Park Department shall have full discretion, during such winter months and other periods of inclement weather, to allow admission to the Topeka Zoological Park without charge.

Section 17. That City of Topeka Code § 164-8, Disposition of fees, is hereby created by the addition of the following language:

Disposition of fees.

All monies derived from the fees established in City of Topeka Code § 164-6 shall be deposited into the fund established by the Director of Budget and Financial Services, and used and applied for the general operation of the Topeka Zoological Park.

Section 18. 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 City Council February 7, 2006

William W. Bunten, Mayor

ATTEST:

Iris E. Walker, City Clerk

APPROVED AS TO FORM AND LEGALITY
DATE 12/30/05 BY BB
TO BE CODIFIED X
NOT TO BE CODIFIED

JORD/ZOOCHANGINGCODE 12/30/05