

1 (Published in the Topeka Metro News March 21, 2011 and March 28, 2011)

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**CHARTER ORDINANCE NO. 103**

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5 A CHARTER ORDINANCE introduced by the Policy and Finance Committee, amending  
6 City of Topeka Code § A9-2 and repealing said original  
7 sections concerning the Metropolitan Transit Authority.

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9 WHEREAS, the Governing Body of the City has adopted the provisions of the

10 Metropolitan Transit Authority Act, K.S.A. 12-2801 *et seq.* (the “Act”), and by Charter

11 Ordinance has made certain provisions of the Act inapplicable to the City of Topeka and

12 provided certain substitute provisions therefor; and

13 WHEREAS, the Governing Body desires to further amend the provisions of the

14 Charter Ordinance relating to the tax levy for the Metropolitan Transit Authority.

15 NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE

16 CITY OF TOPEKA, KANSAS:

17 Section 1. That Section 3 of Charter Ordinance No. 19, as amended by Charter

18 Ordinance No. 50 § 1, Charter Ordinance No. 82 § 1, Charter Ordinance No. 99 § 2, and

19 Charter Ordinance No. 101 § 1, as codified at § A9-2, Levy of tax, of The Code of the City

20 of Topeka, Kansas, is hereby amended to read as follows:

21 **Levy of tax.**

22 The governing body of the City of Topeka, Kansas may levy a tax not to exceed four

23 and four-tenths (4.4) mills for 2011. For 2012, ~~and subsequent years~~ the levy may not

24 exceed ~~threefour and two-tenths (34.2) mills each year.~~ For 2013 and subsequent years,

25 the levy may not exceed three (3) mills. The mill levy shall be upon all the taxable property

26 within such city, as authorized by ordinance of the city, the proceeds of such tax levy to be

27 used by the metropolitan transit authority of Topeka, Kansas, created by Charter

28 Ordinance No. 19, as amended by Charter Ordinance Nos. 50, 82, ~~and 99~~, and 101 to  
29 carry out its duties under the metropolitan transit authority act, as amended.

30 Section 2. That Section 3 of Charter Ordinance No. 19, as amended by Charter  
31 Ordinance No. 50, 82, 99, and 101 as codified at City of Topeka Code § A9-2 is hereby  
32 specifically repealed.

33 Section 3. This Ordinance shall be published once each week for two (2)  
34 consecutive weeks in the official City newspaper.

35 Section 4. This Charter Ordinance shall take effect sixty-one (61) days after  
36 final publication unless a sufficient petition for a referendum is filed and a referendum  
37 held on this Charter Ordinance as provided in Article 12, Section 5, Subdivision (c)(3),  
38 of the Kansas Constitution, in which case this Charter Ordinance shall become effective  
39 if approved by a majority of the electors voting therein.

40 Section 5. Upon the effective date of this Charter Ordinance, this Charter  
41 Ordinance shall be recorded by the City Clerk in a book maintained for such purposes  
42 with a statement of the manner of adoption and a certified copy shall be filed with the  
43 Secretary of State of the State of Kansas.

44 PASSED AND APPROVED by the Governing Body March 15, 2011.

45 CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

51 ATTEST:

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56 Brenda Younger, City Clerk

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58 **STATEMENT OF MANNER OF ADOPTION OF FOREGOING**

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60 The foregoing Charter Ordinance No. 103 was passed on the 15th day of March,  
61 2011, as shown by the minutes, Book 11 Page 90, by a vote of 8 for and 1 against, being  
62 not less than two-thirds (2/3) of the members-elect of the governing body, published in the  
63 Topeka Metro News, the official city newspaper, on the 21st day of March, 2011, and on  
64 the 28<sup>th</sup> day of March, 2011, being once each week for two (2) consecutive weeks, and  
65 there being no petition demanding a referendum filed with the City Clerk within sixty (60)  
66 days after the final publication, said Charter Ordinance took effect on the 27th day of May,  
67 2011.

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70 Brenda Younger, City Clerk

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74 CERTIFICATE

75 CITY OF TOPEKA )  
76 COUNTY OF SHAWNEE ) ss:  
77 STATE OF KANSAS )

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79 I, Brenda Younger, City Clerk of the City of Topeka, County of Shawnee, State of  
80 Kansas, do hereby certify that the above and foregoing, consisting of 3 typewritten pages,  
81 including the page upon which this Certificate is written, is a full true and correct copy of  
82 Charter Ordinance No. 103 of the said City of Topeka, that all acts and things required by  
83 Article 12, Section 5 of the Constitution of the State of Kansas were done and performed in  
84 the manner and within the time prescribed and that said Charter Ordinance became  
85 effective on the 27th day of May, 2011.

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89 Brenda Younger, City Clerk  
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