

1 (Published in the Topeka Metro News November 7, 2011 and November 14, 2011)

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3 **CHARTER ORDINANCE NO. 105**

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5 A CHARTER ORDINANCE introduced by Daniel R. Stanley, Interim City Manager,  
6 repealing City of Topeka Code § A3-1, as established by  
7 Charter Ordinance No. 58, concerning consumption of  
8 alcoholic liquor on certain municipal property.

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

11 Section 1. That section A3-1, established by Charter Ordinance No. 58, of The  
12 Code of the City of Topeka, Kansas, is hereby repealed.

13 **~~On certain municipal property.~~**

14 ~~It shall be lawful for any person authorized by the city, and not otherwise~~  
15 ~~prohibited by the laws of the State of Kansas, to drink and consume alcoholic liquor~~  
16 ~~within the confines of certain buildings located on certain real property, title of which is~~  
17 ~~vested in the City of Topeka, Kansas, to wit: Municipal Auditorium, Topeka Zoological~~  
18 ~~Park, Ward Meade Home and Gardens, Helen Hocker Performing Arts Center and~~  
19 ~~Stormont-Vail Regional Medical Center; provided that no charge is made by the lessee~~  
20 ~~for the serving or mixing of any drink or drinks of alcoholic liquor or for any substance~~  
21 ~~co-mixed with any alcoholic liquor; and that no sale of alcoholic liquor in violation of~~  
22 ~~K.S.A. 41-803 takes place on said city property.~~

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

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

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

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

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CITY OF TOPEKA, KANSAS

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William W. Bunten, Mayor

ATTEST:

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Brenda Younger, City Clerk

45 **STATEMENT OF MANNER OF ADOPTION OF FOREGOING**

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The foregoing Charter Ordinance No. 105 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 14<sup>th</sup> 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. 105 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