

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

2  
3 **CHARTER ORDINANCE NO. 106**  
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5 A CHARTER ORDINANCE introduced by Daniel R. Stanley, Interim City Manager,  
6 repealing City of Topeka Code § A15-4, as established by  
7 Charter Ordinance No. 28, concerning the cash basis law.

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

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11 The Code of the City of Topeka, Kansas, is hereby repealed.

12 **Cash basis law.**

13 ~~The provisions of K.S.A. 10-1101 through 10-1122 shall not apply to contracts~~  
14 ~~and indebtedness created, when payment has been authorized by a vote of the electors~~  
15 ~~of the municipality, or when provision has been made for payment by the issuance of~~  
16 ~~bonds as provided by law, or when provision has been made for payment by the~~  
17 ~~issuance of no fund warrants authorized by law and in the manner, and limited in~~  
18 ~~amount as prescribed by law, or to a revolving fund set up as an operating fund for the~~  
19 ~~operation of any municipal airport and the receipts from the operation of such airport in~~  
20 ~~any case where provision has been made by the city, or board of park commissioners,~~  
21 ~~or other agency designated and authorized to operate a municipal airport for a revolving~~  
22 ~~fund to be set up either out of its budget or by accumulation of receipts collected from~~  
23 ~~the operation of such airport as an operating fund for the operation of such airport when~~  
24 ~~such operating fund and the receipts collected from the operation of such airport are~~  
25 ~~essential to the more efficient operation or greater use of such airport and in which the~~  
26 ~~operating expenditures of said airport are financed and sustained partially or wholly by~~  
27 ~~fees, rentals, proceeds from the sale of merchandise, or charges for rendering services,~~  
28 ~~received from the users of such airport, or to a special recreation facilities reserve set~~  
29 ~~up by any board of park commissioners for a revolving fund for the repair, replacement,~~  
30 ~~or addition to the recreational facilities of such city, or to an enterprise fund set up to~~  
31 ~~account for the financing of self-supporting activities of governmental units which render~~

32 ~~services on a user charge basis to the general public such as public utilities engaged in~~  
33 ~~the provision of water, electricity and natural gas, sanitary sewer systems, refuse and~~  
34 ~~solid waste landfill systems which are financed by user charges, or to an~~  
35 ~~intragovernmental service fund or working capital fund established to finance and~~  
36 ~~account for services and commodities furnished by a designated agency of a~~  
37 ~~governmental unit to other departments of the same governmental unit such as funds~~  
38 ~~established for central garages and motor pools, central printing and duplicating~~  
39 ~~services, central purchasing and stores departments, airport authorities, bus companies~~  
40 ~~or mass transit authorities and public golf courses.~~

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

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

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

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

53  
54 CITY OF TOPEKA, KANSAS

55  
56  
57 ATTEST:

\_\_\_\_\_  
William W. Bunten, Mayor

58  
59 \_\_\_\_\_  
60 Brenda Younger, City Clerk  
61

62 **STATEMENT OF MANNER OF ADOPTION OF FOREGOING**

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64 The foregoing Charter Ordinance No. 106 was passed on the 1st day of  
65 November, 2011, as shown by the minutes, Book 2011 Page 451, by a vote of 8 for and  
66 0 against, being not less than two-thirds (2/3) of the members-elect of the governing  
67 body, published in the Topeka Metro News, the official city newspaper, on the 7th day of  
68 November, 2011, and on the 14th day of November, 2011, being once each week for  
69 two (2) consecutive weeks, and there being no petition demanding a referendum filed  
70 with the City Clerk within sixty (60) days after the final publication, said Charter  
71 Ordinance took effect on the 14th day of January, 2012.

72 \_\_\_\_\_  
73 Brenda Younger, City Clerk

74  
75 CERTIFICATE

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

79  
80 I, Brenda Younger, City Clerk of the City of Topeka, County of Shawnee, State of  
81 Kansas, do hereby certify that the above and foregoing, consisting of 3 typewritten  
82 pages, including the page upon which this Certificate is written, is a full true and correct  
83 copy of Charter Ordinance No. 106 of the said City of Topeka, that all acts and things  
84 required by Article 12, Section 5 of the Constitution of the State of Kansas were done  
85 and performed in the manner and within the time prescribed and that said Ordinance  
86 became effective on the 14th day of January, 2012.

87  
88 \_\_\_\_\_  
89 Brenda Younger, City Clerk