

1 (Published in the Topeka Metro News February 15, 2006)  
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3 ORDINANCE NO. 18562  
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5 AN ORDINANCE Introduced by City Manager Neil Dobler repealing City of Topeka  
6 Code §§ 102-301, 102-302, 102-303, 102-304, 102-305, 102-306,  
7 102-307, and 102-308, and creating City of Topeka Code Chapter  
8 164.  
9

10 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:  
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12 Section 1. That City of Topeka Code § 102-301, Statement of purpose, is  
13 hereby repealed.

14 **Statement of purpose.**

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

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

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26 repealed.

27 **Dedication.**

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

30 ~~The northeast corner of Gage Park containing the zoo area.~~

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32 repealed.

33 **~~Advisory body.~~**

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

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37 repealed.

38 **~~Protection of zoo.~~**

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

43 Section 5. That City of Topeka Code § 102-305, Concessions, is hereby  
44 repealed.

45 **~~Concessions.~~**

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



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

78           **Statement of purpose.**

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

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

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

91           **Dedication.**

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

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

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

97           **Advisory body.**

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

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

102           **Protection of zoo.**

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

107           Section 14. That City of Topeka Code § 164-5, Concessions, is hereby created  
108           by the addition of the following language:

109           **Concessions.**

110           The Zoological Park Department is hereby granted exclusive authority to operate  
111           concessions by way of purchasing and selling products or by authorizing a third party to  
112           provide concessions at the Topeka Zoological Park. Proceeds from such concessions, if  
113           operated by the Zoological Park Department, shall be credited to the revenue account  
114           fund established by the Director of Budget and Financial Services pursuant to City of  
115           Topeka Code § 2-321 and shall first be used to pay the expenses thereof, and any  
116           excess shall be used for the operation, maintenance, and improvement of the Topeka  
117           Zoological Park.

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

120           **Admission fees.**

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

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

127           **Waiver of fees.**

128           The Director of the Zoological Park Department shall have, during winter months  
129 and other periods of inclement weather, full discretion to determine what days and what  
130 hours the admission fees established under City of Topeka Code § 164-6 shall be  
131 charged; and the Director of the Zoological Park Department shall have full discretion,  
132 during such winter months and other periods of inclement weather, to allow admission  
133 to the Topeka Zoological Park without charge.

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

136           **Disposition of fees.**

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

140           Section 18. This ordinance shall take effect and be in force from and after its  
141 passage, approval and publication in the official city newspaper.

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PASSED AND APPROVED by the City Council February 7, 2006.



William W. Bunten  
William W. Bunten, Mayor

ATTEST:

Iris E. Walker  
Iris E. Walker, City Clerk

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