

CITY OF SHAWNEE, KANSAS

CHARTER ORDINANCE NO. 43

A CHARTER ORDINANCE EXEMPTING THE CITY OF SHAWNEE, KANSAS, FROM THE PROVISIONS OF K.S.A. 13-1024a ENTITLED "GENERAL IMPROVEMENTS AND LANDS THEREFOR; BORROWING MONEY AND BOND ISSUES; WHEN ELECTION REQUIRED" AND PROVIDING FOR SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT; AND REPEALING CHARTER ORDINANCE NO. 35.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SHAWNEE, KANSAS:

SECTION 1. The City of Shawnee, Kansas (the "City"), by the power vested in it by Article XII, Section 5 of the Constitution of the State of Kansas, hereby exempts itself from and makes inapplicable to it the provisions of K.S.A. 13-1024a entitled "General Improvements and Lands Therefor; Borrowing Money and Bond Issues; When Election Required" a legislative enactment which is applicable to the City, but is not applicable uniformly to all cities in the State of Kansas; and the City hereby provides substitute and additional provisions on the same subject.

SECTION 2. The City may, for the purpose of paying for any street, trafficway, sidewalk, trail, storm water control, curbs, gutters, bridge, viaduct, public building, off street parking facility, public park, golf course, recreation facility or for the acquiring of land for any of the aforesaid purposes, either within or without the City, or for the purpose of acquiring, improving or extending electric or electronic traffic control system, fiber optic cable system, or the improvement, repair, extension of any water works, sewage disposal plants, storm sewer, drainage improvement or public utility, or for the purpose of rebuilding, repairing, adding to or extending the same from time to time as the necessity of the City may require, the City may borrow money and issue bonds therefore without such bonds having been authorized by vote of the public.

SECTION 3. The authority to issue bonds provided for by this Charter Ordinance is a complete alternative to and in addition to any other lawful method of or authority for the City to issue bonds. Any improvement or land acquisition previously authorized to be paid for by bonds issued pursuant to Charter Ordinance No. 35 may be paid for by bonds issued pursuant to this Charter Ordinance.

SECTION 4. Charter Ordinance No. 35, which previously exempted the City from K.S.A. 13-1024a, is hereby repealed.

SECTION 5. This Charter Ordinance shall be published once each week for two consecutive weeks in an official City newspaper.

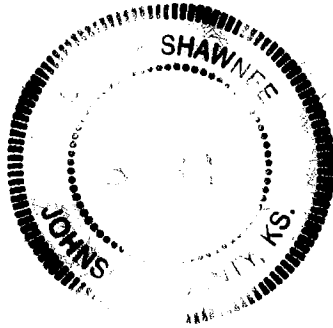
SECTION 6. This Charter Ordinance shall take effect sixty-one (61) days after final publication unless a sufficient petition for a referendum is filed as provided in Article XII, Section 5, Subdivision (c)(3) of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective only upon approval by a majority of electors voting at an election held on the Ordinance.

SECTION 7. Upon its effective date, this Charter Ordinance shall be recorded by the City Clerk in a book maintained for charter ordinances of the City and shall be filed with the Secretary of the State of Kansas.

[Remainder of the Page Intentionally Left Blank]

THIS ORDINANCE is hereby passed by a two-thirds vote of the Governing Body of the City of Shawnee, Kansas, on this 9th day of April, 2013, and **APPROVED AND SIGNED** by the Mayor on this 9th day of April, 2013.

CITY OF SHAWNEE, KANSAS



(SEAL)

ATTEST:

By: _____

Jeff Meyers
Mayor

By: _____

Keith D. Campbell
City Clerk

APPROVED AS TO FORM

By: _____

M. Ellis Rainey, II
City Attorney

I hereby certify that the foregoing is the original ordinance; that said ordinance was passed on the 9th day of April, 2013; that the record of the final vote on its passage is found on page 14922 of Journal No. 72, and that the ordinance was published in the Shawnee Dispatch, the official City newspaper on the 17th day of April, 2013 and the 24th day of April, 2013.

Keith D. Campbell, City Clerk

Affidavit in Proof of Publication

STATE OF KANSAS
Johnson County

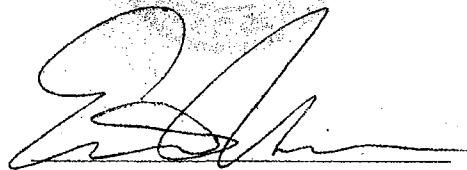
Eric Moore of the Legal Dept. of the Shawnee Dispatch being first duly sworn, deposes and says:

That this weekly newspaper printed in the State of Kansas, and published in and of general circulation in Johnson County, Kansas, with a general unpaid circulation on a weekly basis in Johnson County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

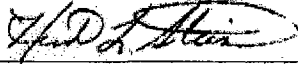
Said newspaper is published weekly 52 weeks a year, has been so published continuously and uninterrupted in Johnson County, in the State of Kansas, for a period of more than six months prior to the first publication of said notice; and in all respects meets all the criteria pertaining to the designation of an official city newspaper for Shawnee, Kansas, as put forth in the Charter Ordinance No. 31, passed on the 26th day of January, 2004.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 2 consecutive weeks the first publication thereof being made as aforesaid on 04/17/2013 with publications being made on the following dates:

04/17/2013, 04/24/2013



Subscribed and sworn to before me this



Notary Public

My Appointment expires: March 15, 2015

Notary And Affidavit	\$0.00
Additional Copies	\$0.00
Publication Charges	\$84.20
	<u>\$84.20</u>

(First published in the Shawnee Dispatch, April 17, 2013)

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SECTION 5. This Charter Ordinance shall be published once each week for two consecutive weeks in an official City newspaper.

SECTION 6. This Charter Ordinance shall take effect

sixty one (61) days after final publication unless a sufficient petition for a referendum is filed as provided in Article XII, Section 5, Subdivision (c)(3) of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective only upon approval by a majority of electors voting at an election held on the Ordinance.

SECTION 7. Upon its effective date, this Charter Ordinance shall be recorded by the City Clerk in a book maintained for charter ordinances of the City and shall be filed with the Secretary of the State of Kansas.

THIS ORDINANCE is hereby passed by a two thirds vote of the Governing Body of the City of Shawnee, Kansas, on this 9th day of April, 2013, and APPROVED AND SIGNED by the Mayor on this 9th day of April, 2013.

CITY OF SHAWNEE, KANSAS

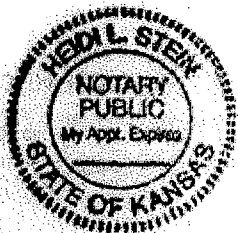
By: /s/ Jeff Meyers, Mayor

(SEAL)

ATTEST:

By: /s/ Keith D. Campbell
City Clerk

APPROVED AS TO FORM:
By: /s/ M. Ellis Rainey, II
City Attorney



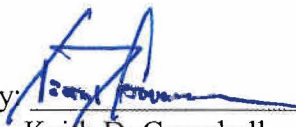
CERTIFICATE WITH RESPECT TO CHARTER ORDINANCE NO. 43

I, Keith D. Campbell, City Clerk of the City of Shawnee, Kansas (the "City"), do hereby certify that Charter Ordinance No. 43 of the City was duly passed on April 9, 2013, by a vote of not less than two-thirds of the members of the Governing Body of the City, was published in the official City newspaper on April 17, 2013 and April 24, 2013, being once each week for two consecutive weeks, and there being no sufficient petition demanding a referendum filed with the City Clerk within sixty days after the final publication, said Charter Ordinance took effect on June 25, 2013, and a certified copy of said Charter Ordinance has been filed with the Secretary of State of the State of Kansas, all in accordance with Article 12, Section 5 of the Constitution of the State of Kansas.

Witness my hand and the seal of the City this June 26, 2013.



CITY OF SHAWNEE, KANSAS

By: 
Keith D. Campbell
City Clerk