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CHARTER ORDINANCE NO. 26

A CHARTER ORDINANCE EXEMPTING THE CITY OF ANDOVER,
KANSAS FROM THE PROVISIONS OF K.S.A. 13-1024a RELATING TO THE
PAYMENT OF COSTS FOR GENERAL IMPROVEMENTS IN THE CITY AND
PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS OF THE
SAME SUBJECT.

WHEREAS, the City of Andover, Kansas (the "City") is a city of the second class duly organized and existing under the laws of the State of Kansas; and

WHEREAS, pursuant to Article 12, Section 5, of the Constitution of the State of Kansas, cities are empowered to determine their local affairs and government except for legislative enactments applicable uniformly to all cities; and

WHEREAS, K.S.A. 13-1024a is part of an enactment of the Kansas Legislature relating to public improvements and the issuance of bonds for such improvements, which enactment applies to the City, but is not uniformly applicable to all cities; and

WHEREAS, the governing body of the City hereby determines that it is in the best interest of the City to exempt the City from K.S.A. 13-1024a and to provide substitute and additional provisions on the same subject.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ANDOVER, KANSAS:

Section 1. The City of Andover, Kansas (the "City"), by virtue of the powers vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from and hereby make inapplicable to it the provisions of K.S.A. 13-1024a and provide substitute and additional provisions as hereinafter set forth in this Ordinance. Such referenced provisions are either enactments or a part thereof which are applicable to the City but are not applicable uniformly to all cities. Such substitute and additional provisions shall be as follows:

For the purpose of paying for any bridge, viaduct, public building, recreational facilities, including the land necessary therefor and repairs, improvements, expansions, and appurtenances thereto, and thereof, for lands for public parks and improvements thereto, including, but not limited to, purchase, installation, and construction of park equipment, splash pads, and other recreational facilities, and developing any of the same, within or without the city, for the establishment and construction of crematories, desiccating or reduction works, including the land necessary therefor, within or without the city, or for the improvement, repair or extension of any waterworks, sewage disposal plant, electric light plant, crematory, desiccating or reduction works or other public utility plant

owned by the city, and for the purpose of rebuilding, adding to or extending to the same from time to time, as the necessities of the city may require, the city may borrow money and issue its bonds for the same.

Section 2. This Charter Ordinance shall be published once a week for two consecutive weeks in the official City newspaper, and shall take effect sixty (60) days after final publication, unless a petition signed by a number of electors of the City equal to not less than ten percent (10%) of the number of electors who voted at the last preceding regular City election shall be filed in the office of the City Clerk, demanding that this Charter Ordinance be submitted to a vote of the electors, in which event this Charter Ordinance shall take effect when approved by a majority of the electors voting at an election held for such a purpose.

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PASSED, APPROVED AND ADOPTED by two-thirds majority of the governing body of the City of Andover, Kansas and approved by the Mayor the 14th day of March, 2023.

CITY OF ANDOVER, KANSAS



By

Ronnie Price, Mayor

By

Susan C. Renner, City Clerk

Passed: 03/14/2023
Published: 03/25/2023
04/01/2023
Effective: 06/01/2023

EXCERPT OF MINUTES

The governing body of the City of Andover, Kansas met in regular session, at the usual place in the City on March 14, 2023, at 7:00 p.m., with Mayor Ronnie Price presiding, and the following members of the governing body present:

Homer Henry, Joseph Forred, Shelby Carselowey, Troy Tabor and Tim Berry

and the following members absent:

Mike Warrington

Thereupon, and among other business, there was presented to the governing body, a Charter Ordinance entitled:

A CHARTER ORDINANCE EXEMPTING THE CITY OF ANDOVER, KANSAS, FROM THE PROVISIONS OF K.S.A. 13-1024a RELATING TO THE PAYMENT OF COSTS FOR GENERAL IMPROVEMENTS IN THE CITY AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS OF THE SAME SUBJECT.

Thereupon, the Charter Ordinance was considered and discussed; and on motion of Henry, seconded by Tabor, the Charter Ordinance was adopted by a two-thirds majority vote of all members elect of the governing body.

Thereupon, the Charter Ordinance having been adopted by a two-thirds majority vote of the members of governing body, it was given No. 26 and directed to be signed by the Mayor and attested by the City Clerk; and the City Clerk was directed to cause the publication of the Ordinance twice as set forth therein and required by law.

**CITY CLERK'S
CERTIFICATION OF EXCERPT OF MINUTES**

I hereby certify that the foregoing is a true and correct Excerpt of the Minutes of the proceedings at the March 14, 2023 meeting of the governing body of the City of Andover,



Susan C. Renner, City Clerk