

CHARTER ORDINANCE NO. 1

Section 1. EXEMPTION: The City, a city of the second class by the power invested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to, exempt and exempts itself from, and makes inapplicable to it, Section 79-1952 of the General Statutes Annotated of 1964 which is not applicable uniformly to all cities of the second class and the Legislature not having established classes of cities for the purpose of imposing tax limitations and prohibitions, and provides substitute and additional provisions as hereinafter provided.

Section 2. LEVY OF TAXES; PURPOSES: The Governing Body of the City is hereby authorized and empowered to levy taxes in each year for the following City purposes, but said Governing Body shall not fix a rate of levy in any one year on each dollar of assessed tangible valuation of the City in excess of the following rates:

General Operating Fund, which shall include the following activities:

General Government; Police Department; Fire Department; health and sanitation including refuse collection and disposal; highways (all public traveled ways including bridges); sewer maintenance; sewage treatment and disposal; parks; cemeteries; street lighting; airport; forestry; civil defense; planning; recreation; library, and band, forty (40) mills. Provided, that any revenues derived from the motor fuel taxes shall be budgeted to the credit of the Highway Department of said General Operating Fund and shall be used exclusively for the purpose for which received; provided, that the aggregate of all City-wide tax levies of such City, except levies for the payment of bonds and interest thereon, and levies for the control and eradication of noxious weeds, and levies authorized by other Statutes to be outside the aggregate are hereby limited to forty (40) mills on each dollar of assessed tangible valuation of such City.

(07-24-1967)

CHARTER ORDINANCE NO. 2

A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS, FROM K.S.A. 12-1640, RELATING TO DEMAND DEPOSITS OF PUBLIC MONEYS AND CERTAIN DUTIES OF THE CITY TREASURER.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARNETT:

Section 1. Exemption from Statute. The City of Garnett, Kansas by the power invested in it by Article 12, Section 5, of the Constitution of the State of Kansas, hereby elects to make inapplicable to it and exempts itself from K.S.A. 12-1604, which applies to said city but not uniformly to all cities.

Section 2. Publications. This ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

Section 3. Effective Date. This is a charter ordinance and shall take effect sixty-one (61) days after final publication unless a sufficient petition for a referendum is filed requiring a referendum be held on the ordinance as provided in Article 12, Section 5, Subdivision (C)(3) of the Constitution of Kansas, in which case the ordinance shall become effective if approved by a majority of the electors voting thereon.

PASSED and APPROVED by the governing body, not less than two-thirds of the members-elect voting in favor thereof, the 11 day of Sept, 1967.



Mayor

Attest:



City Clerk

(SEAL)

CHAPTER ORDINANCE NO. 3

A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS FROM THE PROVISIONS OF SECTION 12-825D, KANSAS STATUTES ANNOTATED, RELATING TO THE USE, DISTRIBUTION AND INVESTMENT OF REVENUE DERIVED FROM THE SALE AND CONSUMPTION OF WATER, FUEL, GAS, POWER OR LIGHT FROM THE CITY OWNED UTILITIES AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT.

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

Section 1. The city of Garnett, Kansas, under the authority of Article 12, Section 5 of the Constitution of the State of Kansas, hereby exempts itself from and takes inapplicable the provisions of Section 12-825d, Kansas Statutes Annotated, which apply to the said city, but the provisions of which do not apply uniformly to all cities and to provide substitute and additional provisions on the same subject as hereinafter provided.

Section 2. The revenue derived by the city from the sale and consumption of water, fuel, gas, power or light shall not be paid out or disbursed except for the purpose of operating, renewing or extending the plant or distribution system from which such revenue was derived, the payment of interest on outstanding bonds issued for the construction, extension or purchase thereof, and the payment of the salaries of the employees; and at any time that there may be a surplus of such fund, it shall, if needed to redeem bonds, be placed into a sinking fund, which shall only be used for the purpose of redeeming bonds that may have been issued for acquiring, renewing or extending said plant or distribution system or making renewals or extensions thereto; provided that when any surplus of either the operating fund or sinking fund is not needed for any of the above stated purposes, said surpluses in whole or in part:

- (a) Ten percent (10%) of the gross annual revenue of each utility may be transferred and merged into the city general revenue fund or any other fund or funds of such city.
- AN ADDITIONAL ONE PERCENT (1%) OF THE GROSS ANNUAL REVENUE*
- (b) May be expended for the purpose of promotion industrial development within or without the corporate limits of the city including encouraging and assisting the location of new business and industry and expansion of existing development for the purpose of promoting the sale, use and consumption of water, fuel, gas, power or light furnished from the waterworks, fuel, gas, power or lighting plant or distribution system of the city, the economic and general welfare and prosperity of the City of Garnett; provided, that no such expenditure shall be made for purposes of industrial promotion until a finding has been made by the Governing Body of the City by resolution duly adopted that the purpose for which the expenditure is made is in the public interest and will promote industrial and utility development to the advantage of the city. Provided further, that when at anytime monies are realized from the lease, lease purchase or sale of any building or building facility or any other project, the cost or any portion of which was paid from a utility fund for the purposes of promotion industrial development as above provided, such monies or any portion thereof shall be placed in the utility fund from which such expenditure was made;
- AN ADDITIONAL ONE PERCENT (1%) OF THE GROSS ANNUAL REVENUE*
- (c) May be expended for the purpose of advertising and promotion of the sale of electricity, gas and water.

Section 3. This ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

Section 4. This is a charter ordinance and shall take effect sixty-one (61) days after final publication unless a sufficient petition for a referendum is filed as provided in Article 12, Section 5, Subdivision (C) (3) of the Constitution of Kansas, in which case the ordinance shall become effective if approved by a majority of the electors voting at the election held thereon.

PASSED BY THE GOVERNING BODY THIS _____ DAY OF MAY, 1968.

CITY OF GARNETT, KANSAS
APPROVED AND SIGNED
BY:

Mayor

ATTEST:

City Clerk

(SEAL)

CHARTER ORDINANCE NO. 4

A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS, FROM SECTION 7, CHAPTER 274, 1968 KANSAS SESSION LAWS RELATING TO TERMS OF OFFICE FOR CITY COMMISSIONERS AND FREQUENCY OF ELECTIONS.

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

Section 1. Exemption from Statute. The City of Garnett, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to make inapplicable to it and exempts itself from Section 7, Chapter 274, 1968 Session Laws, which applies to all cities, but allows for exemption by Charter Ordinance.

Section 2. Retention Present Election System. That the City of Garnett shall retain the present system of election of one commissioner each year, said commissioner to be elected for a term of three years.

Section 3. Publications. This Ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

Section 4. Effective Date. This is a charter ordinance and shall take effect sixty-one (61) days after final publication, unless a sufficient petition for a referendum is filed, requiring a referendum be held on the Ordinance as provided in Article 12, Section 5, Subdivision (C) (3) of the Constitution of Kansas, in which case the ordinances shall become effective if approved by a majority of the electors voting thereon.

PASSED and APPROVED this 27th day of January, 1969.

R. W. Farris

.....
Mayor

Attest:

Harley Gibson Jr.
.....
City Clerk

(SEAL)

CHARTER ORDINANCE NO. 5

A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS, FROM THE PROVISIONS OF SECTION 12-825a OF THE KANSAS STATUTES ANNOTATED, RELATING TO PETTY CASH FUNDS AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARNETT, KANSAS;

Section 1. That the City of Garnett, Kansas, under the authority of Article 12, Section 5, of the Constitution of the State of Kansas, hereby elects to exempt itself from, and to make inapplicable to it, Section 12-825a,b,c of the Kansas Statutes Annotated, which applies to said City, but the provisions of which do not apply uniformly to all cities, and to provide substitute and additional provisions on the same subject.

Section 2. That there is hereby created and established a petty cash fund for the use of the City of Garnett, Kansas, for the purpose of paying postage, freight, express, travel expenses, temporary labor, and other needed or emergency expenses.

Section 3. That such petty cash fund shall not exceed \$800.00 and shall be deposited and carried as all other City of Garnett public funds, and no use of the fund shall be made without the prior approval by either the City Manager or the City Clerk, and each transaction shall include clear documentation of the purpose for which made.

Section 4. That, whenever such petty cash fund becomes low or depleted, the City Clerk shall prepare Vouchers covering such expenses as have been paid from said petty cash fund and shall submit such vouchers on the regular list of claims presented to the Governing Body for audit and allowance of the amount from the regular funds of said City. Once issued therefor, they shall be payable to the petty cash fund, and shall be deposited therein to restore such fund to its original amount for use as herein provided.

Section 5. That this Charter Ordinance shall be published once each week for two consecutive weeks in the Anderson Countian, the official city newspaper.


Section 6. That this Charter Ordinance shall take effect sixty-one (61) days after its final publication, unless a sufficient petition for a refer-

endum is filed as provided in Article 12, Section 5, Subdivision (c) (8) of the Constitution of the State of Kansas, in which case the Ordinance shall become effective upon approval by a majority of electors voting at an election held on said Ordinance.

PASSED BY THE GOVERNING BODY with not less than two-thirds (2/3rds) of the members elected voting in favor thereof, this 23RD day of February, 1970.


.....
R. W. Farris,
Mayor.

Attest:


.....
R. K. Larison,
City Clerk.

(SEAL)

A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS FROM THE PROVISIONS OF K.S.A. 75-117 (SUPP.), 75-1120 (SUPP.), 75-1121 (SUPP.), AND 75-1122 (SUPP.), SO AS NOT TO REQUIRE THE CITY OF GARNETT, KANSAS TO MAINTAIN FIXED ASSET RECORDS AND OBSERVE FIXED ASSET ACCOUNTING PRACTICES.

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

SECTION 1: That the City of Garnett, Kansas, a city of the second class, which, and by virtue of the powers vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, does hereby elect to exempt itself and does hereby exempt itself from the provisions of K.S.A. 75-117, 75-1120, 75-1121, and 75-1122, all as amended by the 1978 Supplements thereto, and makes said statutes, and each of them, inapplicable to the City of Garnett, Kansas, insofar as said statutes require the City of Garnett, Kansas to maintain fixed asset records and to observe fixed asset accounting practices.

SECTION 2: This Charter Ordinance shall be published once each week for two (2) consecutive weeks in The Anderson Countian, an official City newspaper.

SECTION 3: This is a Charter Ordinance and shall take effect sixty-one (61) days after its final publication, unless a sufficient petition for a referendum is filed and a referendum held on the ordinance as provided in Article 12, Section 5, Subdivision C3 of the Constitution of the State of Kansas, in which case the ordinance shall become effective only if approved by a majority of the electors voting at an election held on the question of whether or not such ordinance shall become effective.

PASSED by the Governing Body, not less than two-thirds (2/3rds) of the members elect voting in favor thereof, and APPROVED the 10TH day of DECEMBER, 1980.

Rale Lybarger
Mayor

A T T E S T:

Joyce E. Martin
City Clerk

CHARTER ORDINANCE NO. 7

A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS, FROM THE PROVISIONS OF K.S.A. 25-2108a, RELATING TO THE HOLDING OF PRIMARY ELECTIONS WITHIN SAID CITY AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS THERETO.

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

SECTION 1. The City of Garnett, Kansas, under authority of Article 12, Section 5, of the Constitution of the State of Kansas, hereby exempts itself from, and make inapplicable to it, the provisions of K.S.A. 25-2108a, which applies to the said City, but the provisions of which do not apply uniformly to all cities, and providing substitute and additional provisions on the same subject, as hereinafter provided.

SECTION 2. Regardless of the number of candidates who have filed for election for any city office, there shall be no necessity of a primary election, and every person who has filed for any city office shall be listed on the ballot and shall be voted on by the voters at the general election of city officers, to be held on the first Tuesday in April. The person from among the candidates who receives the largest number of votes at such general election shall be declared the winner of said election.

SECTION 3. This ordinance shall be published once each week for two (2) consecutive weeks in the Anderson Countian, an official City newspaper.

SECTION 4. This is a Charter Ordinance, and shall take effect sixty-one (61) days after final publication, unless a sufficient petition for a referendum is filed requiring a referendum, to be held on the Ordinance as provided in Article 12, Section 5, Sub-division (c) (3) of the Constitution of Kansas, in which case the Ordinance shall become effective, if approved by a majority of the electors voting thereon.

Passed by the governing body of the City of Garnett,
Anderson County, Kansas, not less than two-thirds (2/3) of
the members-elect voting in favor thereof, this 25th day of
March, 1981.

Paul Lybarger
Mayor

ATTEST:

Joyce E. Martin
City Clerk

CHARTER ORDINANCE NUMBER 8
(ORDINANCE NO. 250)

A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS, FROM K.S.A. 1976, SUPP. 79-5011; PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT AND AUTHORIZING A LEVY OF TAXES TO CREATE SEPARATE SPECIAL FUNDS FOR THE PURPOSES OF PAYING UTILITY SERVICE COSTS, EMPLOYEE BENEFITS, LAW ENFORCEMENT COSTS AND STREET MAINTENANCE AND IMPROVEMENT COSTS.

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

SECTION 1: The City of Garnett, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from and make inapplicable to it K.S.A. 79-5011, and to provide substitute and additional provisions as hereinafter set forth in this charter ordinance. K.S.A. 79-5011 is a part of an enactment of the legislature establishing an aggregate tax levy limitation applicable to this city but not applicable uniformly to all cities, and the legislature has not established classes of cities for the purpose of imposing aggregate limitations under said constitutional provision.

SECTION 2. The provisions of K.S.A. 79-5001 to 79-5016, inclusive, shall not apply to the levy of taxes by the City of Garnett for the payment of:

- (a) Principal and interest upon bonds and temporary notes;
- (b) No-fund warrants issued with the approval of the state board of tax appeals;
- (c) Legal judgments rendered against the City;
- (d) Rent due under any lease with a public building commission;
- (e) Special assessments charged against the city at large;
- (f) Utility service costs, whether paid from a separate property tax levy fund of the City or from any other tax supported fund.
- (g) Employee benefits whether paid from a separate property tax levy fund of the City or from any other tax supported fund.
- (h) Law enforcement costs whether paid from a separate property tax levy fund of the City or from any other tax supported fund.
- (i) Street maintenance and improvement costs whether paid from a separate property tax levy fund of the City or from any other tax supported fund.

SECTION 3. The provisions of Article 50 of Chapter 79 of the Kansas Statutes Annotated shall not apply to any taxes levied by the City of Garnett, levied under the provisions of K.S.A. 40-2305, 74-4920, (74-4967), (12-11a03), (13-1441 or 12-1617h) or (13-14,100), and K.S.A. 1977 Supp. (13-14a02), (14,10a02), or to any tax levies required for the payment of employer contributions to any pension and retirement program, or to any other taxes authorized by state law to be levied in addition to or exempt from the aggregate levy limitation of the City of Garnett.

Amounts produced from any levy specified or authorized in this charter ordinance, including any levy or purpose authorized to be levied in addition to or exempt from the aggregate levy limit of the City, shall not be used in computing any aggregate limitation under Article 50 of Chapter 79 of the Kansas Statutes Annotated.

SECTION 4. The City of Garnett is hereby authorized to levy a tax and create a special fund for each of the following purposes:

- (a) Paying utility service costs which are defined to include payments made by the City to water, electric or natural gas systems, companies or utilities for the purpose of obtaining street lighting or traffic control signals or for the lighting, heating, cooling or supplying of water or energy to any city building or facility or for the operation or performance of any function or service by the City of Garnett.
- (b) Paying the City's share of the costs of employee benefits which shall include Social Security (FICA) Kansas Public Employees Retirement System (KPERS), Workmen's Compensation benefits, employment security and unemployment compensation benefits and medical, health and hospitalization insurance.
- (c) Law enforcement costs which shall include the City's costs for salaries, equipment, commodities and services necessary for the provision of police protection services to the City of Garnett.
- (d) Paying street maintenance and improvements costs which shall include the City's costs for salaries, equipment, materials and commodities for services necessary for the repair and improvements of streets within the City of Garnett.

SECTION 5. This charter ordinance shall be published once each week for two (2) consecutive weeks in THE GARNETT REVIEW, an official city newspaper.

SECTION 6. This is a charter ordinance and shall take effect sixty-one (61) days after its final publication, unless a sufficient petition for a referendum is filed and a referendum held on the ordinance as provided in Article 12, Section 5, subdivision (c) (3) of the Constitution of Kansas, in which case the ordinance shall become effective if approved by the majority of the electors voting thereon.

PASSED by the Governing Body, not less than two-thirds of the members-elect voting in favor thereof, and approved the 23rd day of May, 1979.

Attest:

Joyce E. Martin
City Clerk

Paul Lybarger
Mayor

CHARTER ORDINANCE NO. 9

A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS, FROM K.S.A. 79-1952; PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT DEALING WITH THE MAXIMUM APPROPRIATIONS FOR LIBRARY PURPOSES.

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

SECTION 1: The City of Garnett, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from and make inapplicable to it the provisions of K.S.A. 79-1952, and to provide substitute and additional provisions as hereinafter set forth in this Charter Ordinance. K.S.A. 79-1952 is a part of an enactment of the Legislature establishing a limitation on certain tax levies in cities of the second class, including libraries, but the same is not applicable uniformly to all cities within the State.

SECTION 2: The governing body of the City of Garnett, Kansas, is hereby authorized and empowered to levy taxes in each year for the General Fund and for other city purposes, but said governing body shall not fix a rate of levy in any one year on each dollar of assessed tangible valuation of the said City for any of the following named purposes in excess of the following names rates:

| | <u>Amount in Mills</u> |
|--|------------------------|
| Library | 4.00 Mills |
| Airport: Joint operation as provided by K.S.A. 3-121 | .50 Mills |
| Highway Connecting Link: County secondary as provided by K.S.A. 68-582 | 1.00 Mill |
| Industrial Development: As provided by K.S.A. 12-1617h | 1.00 Mill |
| Memorial Buildings: As provided by K.S.A. 73-407 | .50 Mill |
| Noxious Weeds: As provided by K.S.A. 2-1318 | 1.00 Mill |
| Deficiency Levy for Chemicals and Materials | .50 Mill |
| Refuse Collection: As provided by K.S.A. 12-2104 | 1.00 Mill |

SECTION 3: This Charter Ordinance shall be published once each week for two (2) consecutive weeks in an official newspaper of the City of Garnett, Kansas.

SECTION 4: This is a Charter Ordinance and shall take effect sixty-one (61) days after final publication, unless a sufficient petition for a referendum is filed requiring a referendum, to be held on the Ordinance as provided in Article 12, Section 5, Sub-division (c)(3) of the Constitution of Kansas, in which case the ordinance shall become effective, if approved by a majority of the electors voting thereon.

PASSED and APPROVED by the Governing Body of the City of Garnett, Kansas, not less than two-thirds (2/3rds) of the members elect voting in favor thereof, on this 27th day of January, 1986.

Claron G. Cole

Mayor

A T T E S T:

Joyce E. Martin
City Clerk

CHARTER ORDINANCE NO. 10

A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS, FROM K.S.A. 12-4411; PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS, PART OF WHICH MAY FROM TIME TO TIME BE AMENDED BY SIMPLE RESOLUTION, ON THE SAME SUBJECT, WHICH SUBJECT DEALS WITH SUBPOENAS, WITNESSES EXPENSES, ABUSE OF SUBPOENAS AND COSTS IN THE MUNICIPAL COURT OF THE CITY OF GARNETT, KANSAS.

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

SECTION 1: The City of Garnett, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from and make inapplicable to it the provisions of K.S.A. 12-4411, and to provide substitute and additional provisions as hereinafter set forth in this Charter Ordinance. K.S.A. 12-4411 is part of an enactment of the Legislature establishing a code of procedure for Municipal Courts, but the same is not and has by the Supreme Court of Kansas been held not to be uniformly applicable to all cities within the State.

SECTION 2: All parties to any case pending from time to time in the Municipal Court of the City of Garnett, Kansas, shall be entitled to the use of subpoenas to compel attendance of witnesses within the State. The Municipal Judge or clerk shall issue a subpoena which may be served by any law enforcement officer upon the named person. Disobedience may constitute contempt.

Fees and mileage of witnesses shall be fixed by the City Commission from time to time by simple resolution and shall be established on the basis of a per diem, or any part thereof, for appearance at court and for a rate per mile to compensate the witness for miles actually driven. The fees and mileage thus determined for attendance of witnesses shall be borne by the party calling the witness, except that if an accused person is found not guilty, the City shall pay all such expenses; provided, however, the Municipal Judge may direct that fees and mileage of witnesses subpoenaed by the accused person be charged against such person if the Judge finds that there has been an abuse of the use of subpoenas by the accused person.

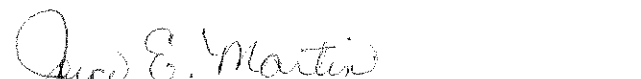
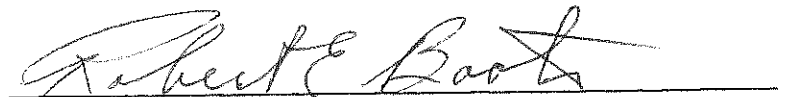
SECTION 3: This Charter Ordinance shall be published once each week for two (2) consecutive weeks in an official newspaper of the City of Garnett, Kansas.

SECTION 4: This is a Charter Ordinance and it shall take effect sixty-one (61) days after final publication, unless a sufficient petition for a referendum is filed requiring a referendum to be held on the Ordinance as provided in Article 12, Section 5, Subsection (c)(3) of the Constitution of the State of Kansas, in which case the Ordinance shall become effective if approved by a majority of the electors voting thereon at such an election.

PASSED and APPROVED By the Governing Body of the City of Garnett, Kansas, not less than two-thirds (2/3) of the members elect voting in favor thereof, on this 25th day of October, 1988.

ATTEST:

Mayor


City Clerk

CHARTER ORDINANCE NO. 11

A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS FROM K.S.A. 12-4112; PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS, PART OF WHICH MAY, FROM TIME TO TIME, BE AMENDED BY SIMPLE RESOLUTION ON THE SAME SUBJECT, WHICH SUBJECT DEALS WITH COSTS IN THE MUNICIPAL COURT OF THE CITY OF GARNETT, KANSAS.

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

SECTION 1: The City of Garnett, Kansas, by the power vested in it by Article 2, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from and make inapplicable to it the provisions of K.S.A. 12-4112, and to provide substitute and additional provisions as hereinafter set forth in this Charter Ordinance. K.S.A. 12-4112 is part of an enactment of the Legislature establishing a code of procedure for municipal courts, but the same is not and has by the Supreme Court of Kansas been held not to be uniformly applicable to all cities within the State.

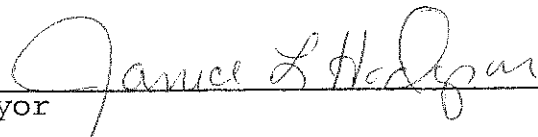
SECTION 2: Costs for administration of justice under the Municipal Court Procedures Act shall be assessed in each case, in an amount to be fixed from time to time by the Governing Body of the City of Garnett, Kansas, by simple resolution. Such costs shall be uniformly applicable in all cases, except for such additional costs as may be taxed for witness fees and mileage as provided by the City of Garnett's Charter Ordinance No. 10 and any resolution enacted under the authority of Charter Ordinance No. 10.

SECTION 3: This Charter Ordinance shall be published once each week for two (2) consecutive weeks in an official newspaper of the City of Garnett, Kansas.

SECTION 4: This is a Charter Ordinance and it shall take effect sixty-one (61) days after final publication, unless a sufficient petition for a referendum is filed requiring a referendum to be held on the ordinance, as provided in Article 12, Section 5, Subsection (c)(3) of the Constitution of the State of Kansas, in which case the Ordinance shall become effective if approved by a majority of the electors voting thereon at such an election.

PASSED and APPROVED By the Governing Body of the City of Garnett, Kansas, not less than two-thirds (2/3rds) of the members elect voting in favor thereof, on this 26th day of March, 1991.

Mayor



A T T E S T:


City Clerk

A CHARTER ORDINANCE AMENDING CHARTER ORDINANCE NO. 9 OF THE CITY OF GARNETT, KANSAS, CONTINUING THE EXEMPTION FROM THE PROVISIONS OF K.S.A. 79-1952, SAID AMENDMENT INCREASING THE MAXIMUM APPROPRIATIONS FOR LIBRARY PURPOSES;

WHEREAS, The City of Garnett, Kansas has, through the adoption of Charter Ordinance No. 9, exempted itself from the provisions of K.S.A. 79-1952 and in said Charter Ordinance No. 9 provided substitute and additional provisions on the same subject; and

WHEREAS, With respect to one part of that subject, to-wit: The maximum appropriation which may be levied for library purposes, it is found and determined to be in the best interests of the City of Garnett, Kansas and its Municipal Library that the maximum amount of appropriations be increased from 4 mills presently fixed in Charter Ordinance No. 9 to 5 mills; and

WHEREAS, The City of Garnett, Kansas desires to continue its exercise of the home rule powers vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, and to continue its exemption from the provisions of K.S.A. 79-1952, but to change the substitute and additional provisions fixed in Charter Ordinance No. 9 to those hereinafter set out.

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

SECTION 1: Pursuant to and in the exercise of the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, the City of Garnett, Kansas, electing to continue its earlier exemption from the provisions of K.S.A. 79-1952, and desiring further to amend the substitute and additional provisions of Charter Ordinance No. 9, does hereby amend Section 2 of said Charter Ordinance No. 9 to read as follows:

SECTION 2: The governing body of the City of Garnett, Kansas, is hereby authorized and empowered to levy taxes in each year for the General Fund and for other city purposes, but said governing body shall not fix a rate of levy in any one year on each dollar of assessed tangible valuation of the said City for any of the following named purposes in excess of the following named rates:


| | <u>Amount in Mills</u> |
|--|------------------------|
| Library | 5.00 Mills |
| Airport: Joint operation as provided by K.S.A. 3-121 | .50 Mill |
| Highway Connecting Link: County secondary as provided by K.S.A. 68-582 | 1.00 Mill |
| Industrial Development: As provided by K.S.A. 12-1617h | 1.00 Mill |
| Memorial Buildings: As provided by K.S.A. 73-407 | .50 Mill |
| Noxious Weeds: As provided by K.S.A. 2-1318 | 1.00 Mill |
| Deficiency Levy for Chemicals and Materials | .50 Mill |
| Refuse Collection: As provided by K.S.A. 12-2104 | 1.00 Mill |

SECTION 2: The provisions of Section 2 of Charter Ordinance No. 9, as the same presently exist be and the same are hereby repealed.

SECTION 3: This Charter Ordinance shall be published once each week for two (2) consecutive weeks in an official newspaper of the City of Garnett, Kansas.

SECTION 4: This is a Charter Ordinance and shall take effect sixty-one (61) days after final publication, unless a sufficient petition for a referendum is filed requiring a referendum, to be held on the Ordinance as provided in Article 12, Section 5, Subdivision (c)(3) of the Constitution of Kansas, in which case the ordinance shall become effective, if approved by a majority of the electors voting thereon.

PASSED and APPROVED By the Governing Body of the City of Garnett, Kansas, not less than two-thirds (2/3rds) of the members elect voting in favor thereof, on this 26th day of January, 1993.



Mayor

A T T E S T:



City Clerk

CHARTER ORDINANCE NO. 13

A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS, FROM THE PROVISIONS OF K.S.A. 79-5028 (1992 SUPP., AS AMENDED) AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT; SUSPENDING THE OPERATION OF CHARTER ORDINANCES 1, 9, AND 12 OF THE CITY OF GARNETT, KANSAS, AS PARTICULARLY SET OUT

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

SECTION 1: The City of Garnett, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, and as provided by K.S.A. 79-5036(a) (1992 Supp.) hereby elects to exempt itself from the provisions of K.S.A. 79-5028 (1992 Supp., as amended), part of an enactment commonly known as the Kansas Property Tax Lid Law, which enactment applies to the City of Garnett, Kansas, but does not apply uniformly to all cities.

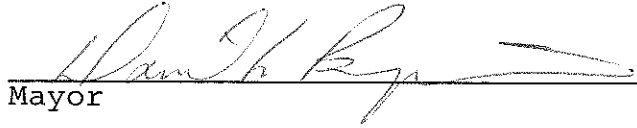
SECTION 2: The following is hereby substituted for the provisions of K.S.A. 79-5028 (1992 Supp., as amended): The provisions of K.S.A. 79-5021--79-5034, inclusive (1992 Supp.), and amendments thereto, shall not limit the levy of taxes by the governing body of the City of Garnett, Kansas.

SECTION 3: For so long as the provisions suspending the operation and application of K.S.A. 79-1952 remain in effect, the provisions of Charter Ordinance 1, Charter Ordinance 9, and Charter Ordinance 12 of the City of Garnett, Kansas are hereby likewise suspended.

SECTION 4: This Charter Ordinance shall be published once each week for two (2) consecutive weeks in an official newspaper of the City of Garnett, Kansas.

SECTION 5: This Charter Ordinance shall take effect sixty-one (61) days after final publication, unless a sufficient petition for a referendum is filed requiring a referendum to be held on this Ordinance, as provided in Article 12, Section 5 of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective only if approved by a majority of the electors voting thereon.

PASSED By the Governing Body of the City of Garnett, Kansas, not less than two-thirds (2/3rds) of its members elect voting in favor thereof, on this 26th day of October, 1993.


Mayor

A T T E S T:


City Clerk

CHARTER ORDINANCE NO. 14

A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS FROM K.S.A. 12-1697 and K.S.A. 12-16,101, RELATING TO THE PROMOTION OF TOURISM AND CONVENTIONS WITHIN THE CITY OF GARNETT, KANSAS THROUGH A TAX LEVY COMMONLY CALLED A "TRANSIENT GUEST TAX"; AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT

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

SECTION 1: The City of Garnett, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from the provisions of K.S.A. 12-1697 and K.S.A. 12-16,101, parts of an enactment which do not apply uniformly to all cities.

SECTION 2: The following is hereby substituted for the provisions of K.S.A. 12-1697:

- (a) In order to provide revenues to promote tourism and conventions, the Governing Body of the City of Garnett, Kansas does hereby authorize to levy a Transient Guest Tax at not to exceed the rate of five percent (5 %) upon the gross receipts described from or paid by transient guests for sleeping accommodations in any hotel, motel, or tourist court within said City. The percentage of such tax to be levied from time to time shall be determined by the Governing Body of the City of Garnett, Kansas and fixed by simple ordinance.
- (b) Any Transient Guest Tax levied pursuant to this Charter Ordinance shall be based upon the gross rental receipts collected by any business.
- (c) The taxes levied pursuant to this Charter Ordinance shall be paid by the consumer or user to the business, and it shall be the duty of each and every business to collect from the consumer or user the full amount of any such tax or an amount equal, as nearly as possible or practicable, to the average equivalent thereto. Each business collecting any of the taxes levied hereunder shall be responsible for paying over the same to the State Department of Revenue in the manner prescribed by K.S.A. 12-1698 (1993 Supp.) or as that section may hereafter be amended, and the State Department of Revenue shall administer and

enforce the collection of such tax the same as if such were levied under the authority of K.S.A. 12-1697.

- (d) The collection of a Transient Guest Tax levied as authorized under this Charter Ordinance shall commence on the 1st day of the calendar quarter next following the 30th day after the receipt by the Kansas Department of Revenue of a certified copy of the published ordinance.

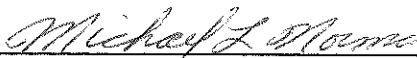
SECTION 3: The following is hereby substituted for the provisions of K.S.A. 12-16,101:

The City of Garnett, Kansas shall be and is authorized to expend the funds raised by the levy of any tax under the authority of this Charter Ordinance on such programs and projects as reasonably may be expected to promote tourism or conventions within the City of Garnett, Kansas. The City Manager is hereby authorized on behalf of the Governing Body to make such expenditures directly or contract for convention and tourism programs to be implemented.

SECTION 4: This Charter Ordinance shall be published once each week for two consecutive weeks in an official newspaper of the City of Garnett, Kansas.


SECTION 5: This Charter Ordinance shall take effect sixty-one (61) days after final publication, unless a sufficient petition for a referendum is filed requiring a referendum to be held on this Ordinance as provided in Article 12, Section 5 of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective only if approved by a majority of the electors voting thereon.

PASSED by the Governing Body of the City of Garnett, Kansas, not less than two-thirds (2/3rds) of its members elect voting in favor thereof on this 11th day of October, 1994.



Mayor

A T T E S T:



City Clerk

10/25

City Commission directed
that this ordinance
not be published
therefore never was
effective.

Charter ORD #15 Replaced
this one.

Joyce M.

CHARTER ORDINANCE NO. 15

A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS FROM K.S.A. 12-1697 and K.S.A. 12-16,101, RELATING TO THE PROMOTION OF TOURISM AND CONVENTIONS WITHIN THE CITY OF GARNETT, KANSAS THROUGH A TAX LEVY COMMONLY CALLED A "TRANSIENT GUEST TAX"; AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT

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

SECTION 1: The City of Garnett, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from the provisions of K.S.A. 12-1697 and K.S.A. 12-16,101, parts of an enactment which do not apply uniformly to all cities.

SECTION 2: The following is hereby substituted for the provisions of K.S.A. 12-1697:

- (a) In order to provide revenues to promote tourism and conventions, the Governing Body of the City of Garnett, Kansas does hereby levy a Transient Guest Tax at the rate of three percent (3%) upon the gross receipts derived from or paid by transient guests for sleeping accommodations in any hotel, motel, or tourist court within said City.
- (b) Any Transient Guest Tax levied pursuant to this Charter Ordinance shall be based upon the gross rental receipts collected by any business.
- (c) The taxes levied pursuant to this Charter Ordinance shall be paid by the consumer or user to the business, and it shall be the duty of each and every business to collect from the consumer or user the full amount of any such tax or an amount equal, as nearly as possible or practicable, to the average equivalent thereto. Each business collecting any of the taxes levied hereunder shall be responsible for paying over the same to the State Department of Revenue in the manner prescribed by K.S.A. 12-1698 (1993 Supp.) or as that section may hereafter be amended, and the State Department of Revenue shall administer and enforce the collection of such tax the same as if such were levied under the authority of K.S.A. 12-1697.

- (d) The collection of a Transient Guest Tax levied as authorized under this Charter Ordinance shall commence on the 1st day of the calendar quarter next following the 30th day after the receipt by the Kansas Department of Revenue of a certified copy of this Charter Ordinance.

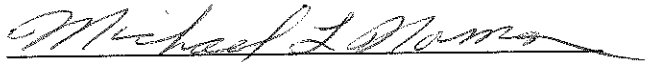
SECTION 3: The following is hereby substituted for the provisions of K.S.A. 12-16,101:

The City of Garnett, Kansas shall be and is authorized to expend the funds raised by the levy of any tax under the authority of this Charter Ordinance on such programs and projects as reasonably may be expected to promote tourism or conventions within the City of Garnett, Kansas. The City Manager is hereby authorized on behalf of the Governing Body to make such expenditures directly or contract for convention and tourism programs to be implemented.

SECTION 4: This Charter Ordinance shall be published once each week for two consecutive weeks in an official newspaper of the City of Garnett, Kansas.

SECTION 5: This Charter Ordinance shall take effect sixty-one (61) days after final publication, unless a sufficient petition for a referendum is filed requiring a referendum to be held on this Ordinance as provided in Article 12, Section 5 of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective only if approved by a majority of the electors voting thereon.

PASSED by the Governing Body of the City of Garnett, Kansas, not less than two-thirds (2/3rds) of its members elect voting in favor thereof on this 25th day of October, 1994.


Mayor

A T T E S T:


City Clerk

CHARTER ORDINANCE NO. 16

A CHARTER ORDINANCE AMENDING CHARTER ORDINANCE 5 OF THE CITY OF GARNETT, KANSAS, SAID ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS FROM THE PROVISIONS OF SECTION 12-825a OF KANSAS STATUTES ANNOTATED, RELATING TO PETTY CASH FUNDS; AMENDING THE SUBSTITUTE AND ADDITIONAL PROVISIONS HERETOFORE ESTABLISHED BY CHARTER ORDINANCE NO. 5; AND RATIFYING ALL OTHER PROVISIONS OF CHARTER ORDINANCE NO. 5, EXCEPT AS HEREIN SPECIFICALLY AMENDED

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

SECTION 1: Section 3 of Charter Ordinance No. 5 is hereby amended to read as follows:

Section 3. That such petty cash fund shall not exceed \$1,000.00 and shall be deposited and carried as all other City of Garnett public funds, and no use of the fund shall be made without the prior approval by either the City Manager or the City Clerk, and each transaction shall include clear documentation of the purpose for which made.


SECTION 2: Section 3 of Charter Ordinance No. 5 as the same presently exists is hereby repealed.

SECTION 3: This Charter Ordinance shall be published once each week for two (2) consecutive weeks in an official newspaper of the City of Garnett, Kansas.

SECTION 4: This Charter Ordinance shall take effect sixty-one (61) days after its final publication, unless a sufficient petition for a referendum is filed as provided in Article 12, Section 5, Subdivision (c)(8) 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 said Charter Ordinance.

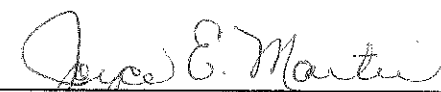
SECTION 5: All provisions of Charter Ordinance No. 5, except as hereinabove amended, are ratified and approved and shall remain in full force and effect.

PASSED By the Governing Body with not less than two-thirds (2/3rds) of the members thereof voting in favor of this Ordinance, on this 14th day of May, 1996.



Mayor

A T T E S T:



City Clerk

(Published in The, on March 31, 1997 and on April 7, 1997).
Anderson County Review

CHARTER ORDINANCE NO. 17

A CHARTER ORDINANCE OF THE CITY OF GARNETT, KANSAS EXEMPTING THE CITY FROM THE PROVISIONS OF K.S.A. 17-2339, K.S.A. 17-2346, K.S.A. 17-2347 AND K.S.A. 17-2351 RELATING TO MUNICIPAL HOUSING PROJECTS AND THE OPERATION THEREOF AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS RELATING THERETO.

WHEREAS, Article 12, Section 5 of the Constitution of the State of Kansas (hereinafter referred to as "Article 12, § 5") provides that cities may exercise certain home rule powers, including adopting charter ordinances which exempt such cities from the whole or any part of acts of the Kansas Legislature, other than acts of statewide concern applicable uniformly to all cities; and

WHEREAS, the City of Garnett, Kansas (the "City") is a city as defined in Article 12, § 5, duly created and organized under the laws of the State of Kansas; and

WHEREAS, K.S.A. 17-2339, K.S.A. 17-2346, K.S.A. 17-2347 and K.S.A. 17-2351 are a part of an enactment of the Kansas Legislature, K.S.A. 17-2337 *et. seq.* (jointly, with this Charter Ordinance, the "Municipal Housing Law"), relating to municipal housing projects and the operation thereof, which enactment is applicable to the City, but is not uniformly applicable to all cities within the State of Kansas; and

WHEREAS, the governing body of the City desires, by charter ordinance, to exempt the City from the provisions of K.S.A. 17-2339, K.S.A. 17-2346, K.S.A. 17-2347 and K.S.A. 17-2351, and to provide substitute and additional provisions therefor, including expanding the definition of "persons of low income" and other changes, in order to provide additional opportunities to develop, finance and rent to elderly persons dwelling accommodations in the City's housing projects, as defined by the Municipal Housing Law.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARNETT, KANSAS AS FOLLOWS:

Section 1. Exemption-K.S.A. 17-2339. The City, by the power vested in it by Article 12, § 5, hereby elects to exempt itself from and make inapplicable to it, the provisions of K.S.A. 17-2339 and does hereby provide the following substitute and additional provisions in place thereof:

Definitions. The following terms, wherever used or referred to in the Municipal Housing Law, shall have the following respective meanings, unless a different meaning clearly appears from the context:

(a) "Housing authority" or "authority" shall mean any agency of the City created pursuant to the Municipal Housing Law.

(b) "State public body" shall mean any city, county, township, municipal corporation, commission, district authority, or other subdivision or public body of the state.

(c) "Governing body" shall mean the board of commissioners of the City.

(d) "Mayor" shall mean the mayor of the City.

(e) "Clerk" shall mean the clerk of the City.

(f) "Area of operation" shall include the City and the area within five (5) miles of the territorial City boundaries: Provided, such area shall not include any area which lies within the territorial boundaries of another city as herein defined without the consent of the other city nor any area in another county.

(g) "Federal government" shall include the United States of America, the public housing administration, or any other agency or instrumentality, corporate or otherwise of the United States of America.

(h) "Slum" means any area where dwellings predominate which by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitary facilities, or any combination of these factors are detrimental to safety, health and morals.

(i) "Housing project" or "project" shall mean any work or undertaking to provide decent, safe and sanitary urban or rural dwellings, apartments, or other living accommodations for persons of low income. Such work or undertaking may include buildings, land, equipment, facilities, and other real or personal property for necessary, convenient or desirable appurtenances, streets, sewers, water service, utilities, parks, site preparation, landscaping, administrative, community, health, recreational, welfare, or other purposes. The term "housing project" or "project" also may be applied to the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration or repair of the improvements and all other work in connection therewith, and the term shall include all other real and personal property and all tangible or intangible assets held or used in connection with the housing project.

(j) "Persons of low income" shall mean (i) persons or families who lack the amount of income which is necessary (as determined by the City) to enable them without financial assistance, to live in decent, safe, and sanitary dwellings, without overcrowding and (ii) elderly person(s).

(k) "Elderly person" shall mean a single person or a family, the head of which (or their spouse) has attained the age of 55 years.

(l) "Bonds" shall mean any bonds, notes, interim certificates, debentures, or other obligations issued by the City or an authority pursuant to the Municipal Housing Law.

(m) "Real property" shall include all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and right, legal or equitable, therein, including terms for years.

(n) "Obligee" shall include any bondholder, agent or trustee for any bondholder, or lessor demising to the City property used in connection with a project, or any assignee or assignees of such lessor's interest or any part thereof, and the federal government when it is a party to any contract with the City in respect to a housing project.

(o) "Municipality" shall mean the City.

Section 2. Exemption-K.S.A. 17-2346. The City, by the power vested in it by Article 12, § 5, hereby elects to exempt itself from and make inapplicable to it the provisions of K.S.A. 17-2346 and does hereby provide substitute and additional provisions in place thereof as follows:

Operation of housing projects; nonprofit; fixing rentals; non-dwelling facilities, rental. The City shall manage and operate its housing projects in an efficient manner so as to enable it to fix the rentals or payments for dwelling accommodations at rates consistent with its providing decent, safe and sanitary dwelling accommodations for persons of low income and that the City shall not construct or operate any housing project for profit, or as a source of revenue to the City. To this end the City shall fix the rentals or payments for dwellings in its projects at no higher rates than it shall find to be necessary in order to produce revenues which (together with all other available moneys, revenues, income and receipts in connection with or for such projects from whatever sources derived, including federal financial assistance) will be sufficient

(a) to pay, as the same become due, the principal and interest on the bonds issued pursuant to this act;

(b) to create and maintain such reserves as may be required to assure the payment of principal and interest as it becomes due on such bonds;

(c) to meet the cost of, and to provide for, maintaining and operating the projects (including necessary reserves therefor and the cost of any insurance and of administrative expenses); and

(d) to make such payments in lieu of taxes and, after payment in full of all obligations for which federal annual contributions are pledged, to make such repayments of federal and local contributions as it determines are consistent with the maintenance of the low-rent character of projects.

Rentals or payments for dwellings shall be established and the projects administered, insofar as possible, so as to assure that any federal financial assistance required shall be strictly limited to amounts and periods necessary to maintain, if applicable, the low-rent character of the projects. Nothing herein shall be construed to limit the amount an authority may charge for non-dwelling facilities. All such income, together with other income

and revenue, shall be used in the operation of the projects to aid in accomplishing the public purposes of the Municipal Housing Law.

Section 3. Exemption-K.S.A. 17-2347. The City, by the power vested in it by Article 12, § 5, hereby elects to exempt itself from and make inapplicable to it the provisions of K.S.A. 17-2347 and does hereby provide substitute and additional provisions in place thereof as follows:

Housing rentals and tenant admissions; non-dwelling facilities, tenants and rental. The City shall:

- (a) rent or lease the dwelling accommodations in a housing project only to persons of low income and at rentals within the financial reach of such persons;
- (b) rent or lease to a tenant such dwelling accommodations consisting of the number of rooms which it deems necessary to provide safe and sanitary accommodations to the proposed occupants thereof, without overcrowding; and
- (c) fix income limits to the extent required by federal law for occupancy and rents after taking into consideration the family size, composition, age, physical handicaps, and other factors which might affect the rent paying ability of the family, including the economic factors which affect the financial stability and solvency of the project.

In computing the rental for this purpose of admitting tenants, there shall be included in the rental the average annual cost (as determined by the City) to occupants of heat, water, electricity, gas, cooking fuel and other necessary services or facilities, whether or not the charge for such services and facilities is included in the rental.

The City shall give a preference to those persons who occupied dwellings which were razed so that a slum could be cleared or the housing project could be constructed, if such persons are otherwise qualified to rent or lease dwelling accommodations in such housing project, and to elderly persons whether or not so displaced, and who desire to rent or lease dwelling accommodations in such housing project. Notwithstanding the provisions hereof, the City may agree to conditions as to tenant eligibility or preference required by the federal government pursuant to federal law in any contract for financial assistance. Further, notwithstanding the provisions hereof, nothing herein shall be construed to limit the amount of rental that an authority may charge or the tenants that an authority may admit for non-dwelling facilities. All such rental, together with other income and revenue, shall be used in the operation of the projects to aid in accomplishing the public purposes of the Municipal Housing Law.

Nothing contained in this section or the immediately preceding section of this Charter Ordinance shall be construed as limiting the power of the City, with respect to a housing project, to vest in an obligee the right, in the event of a default by the City, to take possession or cause the appointment of a receiver thereof, free from all the restrictions imposed by this section or the immediately preceding section of this Charter Ordinance.

Section 4. Exemption-K.S.A. 17-2351. The City, by the power vested in it by Article 12, § 5, hereby elects to exempt itself from and make inapplicable to it the provisions of K.S.A. 17-2351 and does hereby provide substitute and additional provisions in place thereof as follows:

Issuance of revenue bonds; types; exempt from taxation. The City shall have power to issue bonds from time to time in its discretion, for any of the purposes of the Municipal Housing Law. The City shall also have power to issue refunding bonds for the purpose of paying or retiring bonds previously issued by it in the manner prescribed by and subject to the provisions of K.S.A. 10-116a. The City may issue such types of bonds as it may determine, including (without limiting the generality of the foregoing) bonds on which the principal and interest are payable (a) exclusively from the income and revenues of the project financed with the proceeds of such bonds, or (b) exclusively from the income and revenues of certain designated housing projects whether or not they are financed in whole or in part with the proceeds of such bonds. Any such bonds may be additionally secured by a pledge of any loan, grant or contribution or parts thereof from the federal government or other source, or a pledge of any income or revenues connected with a housing project or a mortgage of any housing project or projects.

Neither the governing body of the City nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof hereunder. The bonds and other obligations issued under the provisions of the Municipal Housing Law (and such bonds and obligations shall so state on their face) shall be payable solely from the sources provided in this section and shall not constitute an indebtedness within the meaning of any

constitutional or statutory debt limitation or restriction and shall not under any circumstances become general obligations of the City. Bonds issued pursuant to the Municipal Housing Law are declared to be issued for an essential public and governmental purpose and to be public instrumentalities and, together with interest thereon and income therefrom, shall be exempt from taxes. The tax exemption provisions of the Municipal Housing Law shall be considered part of the security for the repayment of bonds and shall constitute, by virtue of the Municipal Housing Law and without the necessity of the same being restated in said bonds, a contract between the bondholders and each and every one thereof, including all transferees of said bonds from time to time on the one hand and the City and the state on the other.

Section 5. Severability. If any provision or section of this Charter Ordinance is deemed or ruled unconstitutional or otherwise illegal or invalid by any court of competent jurisdiction, such illegality or invalidity shall not affect any other provision of this Charter Ordinance. In such instance, this Charter Ordinance shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 6. Effective Date. 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.

PASSED by the Governing Body, and **SIGNED** by the Mayor, of the City of Garnett, Kansas this 25th day of March, 1997.

CITY OF GARNETT, KANSAS

(SEAL)

Janice L. Hodges
Mayor

ATTEST:

Joyce E. Martin
City Clerk

CHARTER ORDINANCE NO. 18

A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS, FROM THE PROVISIONS OF SECTIONS 12-825a, 12-825b and 12-825c OF KANSAS STATUTES ANNOTATED, RELATING TO PETTY CASH FUNDS; PROVIDING SUBSTITUTE PROVISIONS ON THE SAME SUBJECT, PERMITTING THE ESTABLISHMENT AND OPERATION OF A PETTY CASH FUND BY SIMPLE ORDINANCE; AND REPEALING CHARTER ORDINANCE NO. 5 AND CHARTER ORDINANCE NO. 16.

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

SECTION 1: The City of Garnett, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from the provisions of K.S.A. 12-825a, 12-825b and 12-825c, parts of an enactment which does not apply uniformly to all cities.

SECTION 2: The City of Garnett, Kansas, is hereby authorized and permitted to establish a petty cash fund and provide rules and procedures for its operation by simple ordinance. Such an ordinance, once adopted, may be amended, repealed or replaced in its entirety, from time to time as may be found convenient or necessary, by simple ordinance.

SECTION 3: Charter Ordinance No. 5 and Charter Ordinance No. 16 are hereby repealed.

SECTION 4: This Charter Ordinance shall be published once each week for two (2) consecutive weeks in an official newspaper of the City of Garnett, Kansas.

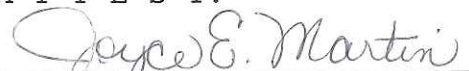
SECTION 5: This Charter Ordinance shall take effect sixty-one (61) days after its final publication, unless a sufficient petition for a referendum is filed as provided in Article 12, Section 5, Subdivision (c) (8) of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective only upon approval by a majority of electors voting at an election held on said Charter Ordinance.

PASSED by the Governing Body with not less than two-thirds (2/3rds) of the members thereof voting in favor hereof, on this 14th day of May, 2002.



Mayor

A T T E S T:



City Clerk

CHARTER ORDINANCE NO. 19

A CHARTER ORDINANCE REPEALING CHARTER ORDINANCE #9 AND CHARTER ORDINANCE #12, BOTH OF WHICH EXEMPT THE CITY OF GARNETT, KANSAS FROM K.S.A. 79-1952 AND ESTABLISHED SUBSTITUTE AND ADDITIONAL PROVISIONS THEREFOR.

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

SECTION 1: The City of Garnett, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby repeals Charter Ordinance #9 and Charter Ordinance #12.

SECTION 2: This Charter Ordinance shall be published once each week for two consecutive weeks in an official newspaper of the City of Garnett, Kansas.

SECTION 3: This Charter Ordinance shall take effect sixty-one (61) days after final publication, unless a sufficient petition for a referendum is filed requiring a referendum to be held on this ordinance, as provided in Article 12, Section 5 of the Constitution of the State of Kansas, in which case this ordinance shall become effective only if approved by a majority of the electors voting thereon.

PASSED by the Governing Body of the City of Garnett, Kansas, not less than two-thirds (2/3rds) of its members elect voting in favor thereof on this 10th day of May, 2005.



Mayor

A T T E S T:



City Clerk

(Published in *The Anderson County Advocate* on January 27, 2012, and February 3, 2012)

CHARTER ORDINANCE NO. 20

**A CHARTER ORDINANCE OF THE CITY OF GARNETT, KANSAS
EXEMPTING THE CITY FROM THE PROVISIONS OF K.S.A. 12-621
RELATING TO SEWAGE DISPOSAL WORKS IMPROVEMENTS AND THE
ISSUANCE OF BONDS THEREFOR AND PROVIDING SUBSTITUTE AND
ADDITIONAL PROVISIONS RELATING THERETO.**

WHEREAS, Article 12, Section 5 of the Constitution of the State of Kansas (the "Act") provides that cities may exercise certain home rule powers, including passing charter ordinances which exempt such cities from the acts of the Kansas Legislature; and

WHEREAS, the City of Garnett, Kansas (the "City") is a city, as defined in the Act, duly created and organized, under the laws of the State of Kansas; and

WHEREAS, K.S.A. 12-621 is part of an enactment of the Kansas Legislature relating to sewage disposal works improvements and the issuance of bonds for such purposes, which enactment is applicable to the City, but is not uniformly applicable to all cities within the State of Kansas; and

WHEREAS, the governing body of the City desires, by charter ordinance, to exempt the City from the provisions of K.S.A. 12-621, and to provide substitute and additional provisions therefor.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARNETT, KANSAS AS FOLLOWS:

Section 1. Exemption-K.S.A. 12-621. The City, by the power vested in it by the Act, hereby elects to exempt itself from and make inapplicable to it, the provisions of K.S.A. 12-621 and does hereby provide the following substitute and additional provisions in place thereof:

The governing body of the City may operate and maintain sewers and disposal works for the collection and purification of the sewage of the city, or of any part thereof, including joint operation and maintenance of such facilities through interlocal cooperation with another city or cities. The costs and expenses of building the same, in whole or in part, may be borne by the city as a whole, and may be paid out of the general revenue fund; or if the governing body determines, general obligation bonds of the City may be issued for such purpose.

Section 2. Severability. Any provision or section of this Charter Ordinance is deemed or ruled unconstitutional or otherwise illegal or invalid by any court of competent jurisdiction, such illegality or invalidity shall not affect any other provision of this Charter Ordinance. In such instance, this Charter Ordinance shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 3. Effective Date. 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.

PASSED with more than a 2/3 vote of the Governing Body of the City of Garnett, Kansas this 24th day of January, 2012 and **SIGNED** by the Mayor.

CITY OF GARNETT, KANSAS

Michael L. Norman
Mayor

(SEAL)

ATTEST:

Christina L. Finney
City Clerk

Case No. Charter
Ordinance No 20

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, ANDERSON COUNTY, ss:

Vern Brown/Barbara Thompson, of lawful age, being first duly sworn on oath, states that:

I am one of the publishers of The Anderson County Advocate, a weekly newspaper published in Garnett, Anderson County, Kansas, and of general circulation in said county and state. The Anderson County Advocate has been published at least weekly fifty times a year from June 26, 1997 to date. The newspaper is entered as second class mail at Garnett, Kansas, the post office of publication, and has a general paid circulation on a weekly basis, and more than 50% of the circulation is sold to such subscribers on that basis. It is not a trade, religious or fraternal publication.

The notice, a true copy of which is attached, was published in the regular and entire issue of said weekly newspaper for 2 consecutive weeks, to-wit:

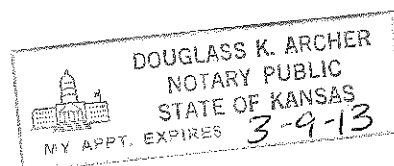
1st publication January 27, 2012
2nd publication February 3, 2012
3rd publication _____

Barbara Thompson
Vern Brown/Barbara Thompson

Subscribed and sworn to before me,
this 14 day of February, 2012

[Signature]
Notary Public

My appt. expires 3-9-13



STATE OF KANSAS, ANDERSON COUNTY, SS:

I, Kristina L. Kinney, City Clerk in and for the City of Garnett, Kansas, do

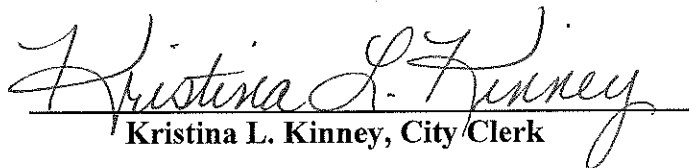
Hereby certify that the above and foregoing is a true and correct copy of

Charter Ordinance No. 20, which was duly passed by the Governing Body

of the City of Garnett, Kansas on January 24, 2012 and published in

an official newspaper of the City of Garnett, Kansas on January 27, 2012 and
February 3, 2012.

IN WITNESS WHEREOF, I have subscribed my name and affixed
the seal of my office this 1st day of March, 2012.


Kristina L. Kinney, City Clerk

(SEAL)

CHARTER ORDINANCE NO. 21

=====

A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS FROM K.S.A. 12-1692, K.S.A. 12-1695, K.S.A. 12-1697 and K.S.A. 12-16,101, RELATING TO THE PROMOTION OF TOURISM AND CONVENTIONS WITHIN THE CITY OF GARNETT, KANSAS THROUGH A TAX LEVY COMMONLY CALLED A "TRANSIENT GUEST TAX"; AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT; REPEALING CHARTER ORDINANCE NO. 15.

=====

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

SECTION 1: The City of Garnett, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from the provisions of K.S.A. 12-1692, K.S.A. 12-1695, K.S.A. 12-1697 and K.S.A. 12-16,101, parts of an enactment which do not apply uniformly to all cities.

SECTION 2: The following is hereby substituted for the provisions of K.S.A. 12-1692:

As used in this Charter Ordinance, the following words and phrases shall have the meanings respectively ascribed to them:

- (a) "Person" means an individual, firm, partnership, corporation, joint venture or other association of persons;
- (b) "Hotel, motel or tourist court" means any structure or building which contains rooms furnished for the purposes of providing lodging, which may or may not also provide meals, entertainment or various other personal services to transient guests, and which is kept, used, maintained, advertised or held out to the public as a place where sleeping accommodations are sought for pay or compensation by transient or permanent guests having more than two bedrooms furnished for the accommodation of such guests, but does not include an apartment or house;
- (c) "Transient guest" means a person who occupies a room in a hotel, motel or tourist court for any period of time, but shall not include a person who occupies an apartment or house;
- (d) "Business" means any person engaged in the business of renting, leasing or letting living quarters, sleeping accommodations, rooms or a part thereof in connection with any motel, hotel or tourist court;

- (e) "Convention and tourist promotion" means: Activities to attract visitors into the community through marketing efforts, including advertising, directed to pleasure travellers and others whose presence in the community is likely to increase local business activity or which encourage increased lodging facility occupancy.
- (f) "Accommodations broker" means any business which maintains an inventory of two or more rooms in one or more locations which are offered for pay to a person or persons.

SECTION 3: The following is hereby substituted for the provisions of K.S.A. 12-1697:

- (a) In order to provide revenues to promote tourism and conventions, the Governing Body of the City of Garnett, Kansas does hereby levy a Transient Guest Tax at the rate of four percent (4%) upon the gross receipts derived from or paid by transient guests for sleeping accommodations in any hotel, motel, or tourist court within said City.
- (b) Any Transient Guest Tax levied pursuant to this Charter Ordinance shall be based upon the gross rental receipts collected by any business.
- (c) The taxes levied pursuant to this Charter Ordinance shall be paid by the consumer or user to the business, and it shall be the duty of each and every business to collect from the consumer or user the full amount of any such tax or an amount equal, as nearly as possible or practicable, to the average equivalent thereto. Each business collecting any of the taxes levied hereunder shall be responsible for paying over the same to the State Department of Revenue in the manner prescribed by the provisions of K.S.A. 12-1698 or as that section may hereafter be amended, and the State Department of Revenue shall administer and enforce the collection of such tax the same as if such were levied under the authority of K.S.A. 12-1697.
- (d) The collection of a Transient Guest Tax levied as authorized under this Charter Ordinance shall commence on the 1st day of the calendar quarter next following the 30th day after the receipt by the Kansas Department of Revenue of a certified copy of this Charter Ordinance.

SECTION 4: The following is hereby substituted for the provisions of K.S.A. 12-1695 and K.S.A. 12-16,101:

The City of Garnett, Kansas shall be and is authorized to expend the funds raised by the levy of any tax under the authority of this Charter Ordinance on such programs and projects as reasonably may be expected to promote tourism or conventions within the City of Garnett, Kansas. The City Manager is hereby authorized on behalf of the Governing Body to make such expenditures directly or contract for convention and tourism programs to be implemented.

SECTION 5: This Charter Ordinance shall be published once each week for two consecutive weeks in an official newspaper of the City of Garnett, Kansas.

SECTION 6: This Charter Ordinance shall take effect sixty-one (61) days after final publication, unless a sufficient petition for a referendum is filed requiring a referendum to be held on this Ordinance as provided in Article 12, Section 5 of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective only if approved by a majority of the electors voting thereon.

SECTION 7: Charter Ordinance #15 of the City of Garnett, Kansas, is hereby repealed; PROVIDED, HOWEVER, this repealer shall not take effect until the 1st day of the calendar quarter next following the 30th day after the receipt by the Kansas Department of Revenue of a certified copy of this Charter Ordinance.

PASSED by the Governing Body of the City of Garnett, Kansas, not less than two-thirds (2/3rds) of its members elect voting in favor thereof on this 22nd day of January, 2013.



Mayor

A T T E S T:



City Clerk

Case No. Charter Ordinance

21

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, ANDERSON COUNTY, ss:

Vern Brown/Barbara Thompson, of lawful age, being first duly sworn on oath, states that:

I am one of the publishers of The Anderson County Advocate, a weekly newspaper published in Garnett Anderson County, Kansas, and of general circulation in said county and state. The Anderson County Advocate has been published at least weekly fifty times a year from June 26, 1997 to date. The newspaper entered as second class mail at Garnett, Kansas, the post office of publication, and has a general paid circulation on a weekly basis, and more than 50% of the circulation is sold to such subscribers on that basis. It is not a trade, religious or fraternal publication.

The notice, a true copy of which is attached, was published in the regular and entire issue of said weekly newspaper for 2 consecutive weeks, to-wit:

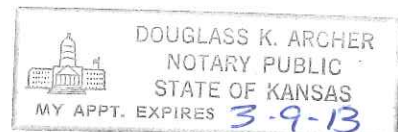
1st publication 1-29-13
2nd publication 2-5-13
3rd publication _____

Barbara Thompson
Vern Brown/Barbara Thompson

Subscribed and sworn to before me,
this 5 day of FEB, 2013

[Signature]
Notary Public

My appt. expires 3-9-13



Case No. Charter Ordinance

21

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, ANDERSON COUNTY, ss:

Vern Brown/Barbara Thompson, of lawful age, being first duly sworn on oath, states that:

I am one of the publishers of The Anderson County Advocate, a weekly newspaper published in Garnett Anderson County, Kansas, and of general circulation in said county and state. The Anderson County Advocate has been published at least weekly fifty times a year from June 26, 1997 to date. The newspaper entered as second class mail at Garnett, Kansas, the post office of publication, and has a general paid circulation on a weekly basis, and more than 50% of the circulation is sold to such subscribers on that basis. It is not a trade, religious or fraternal publication.

The notice, a true copy of which is attached, was published in the regular and entire issue of said weekly newspaper for 2 consecutive weeks, to-wit:

1st publication 1-29-13

2nd publication 2-5-13

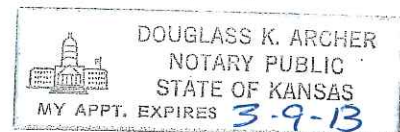
3rd publication _____

Barbara Thompson
Vern Brown/Barbara Thompson

Subscribed and sworn to before me,
this 5 day of FEB, 2013

[Signature]
Notary Public

My appt. expires 3-9-13



**CHARTER ORDINANCE
NO. 21**

A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS FROM K.S.A. 12-1692, K.S.A. 12-1695, K.S.A. 12-1697 and K.S.A. 12-16,101, RELATING TO THE PROMOTION OF TOURISM AND CONVENTIONS WITHIN THE CITY OF GARNETT, KANSAS THROUGH A TAX LEVY COMMONLY CALL A "TRANSIENT GUEST TAX"; AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT; REPEALING CHARTER ORDINANCE NO. 15.

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

SECTION 1: The City of Garnett, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from the provisions of K.S.A. 12-1692, K.S.A. 12-1695, K.S.A. 12-1697 and K.S.A. 12-16,101, parts of an enactment which do not apply uniformly to all cities.

SECTION 2: The following is hereby substituted for the provisions of K.S.A. 12-1692:

As used in this Charter Ordinance, the following words and phrases shall have the meanings respectively ascribed to them:

(a) "Person" means an individual, firm, partnership, corporation, joint venture or other association of persons;

(b) "Hotel, motel or tourist court" means any structure or building which contains rooms furnished for the purposes of providing lodging, which may or may not also provide meals, entertainment or various other personal services to transient guests, and which is kept, used, maintained, advertised or held out to the public as a place where sleeping accommodations are sought for pay or compensation by transient or permanent guests having more than two bedrooms furnished for the accommodation of such guests, but does not include an apartment or house;

(c) "Transient guest" means a person who occupies a room in a hotel, motel, or tourist court for any period of time, but shall not include a person who occupies an apartment or house;

(d) "Business" means any person engaged in the business of renting, leasing or letting living quarters, sleeping accommodations, rooms or a part thereof in connection with any motel, hotel or tourist court;

(e) "Convention and tourist promotion" means: Activities to attract visitors into the community through marketing efforts, including advertising, directed to pleasure travellers and others whose presence in the community is likely to increase local business activity or which encourage increased lodging facility occupancy.

(f) "Accommodations broker" means any business which maintains an inventory or two or more rooms in one or more locations which are offered for pay to a person or persons.

SECTION 3: The following is hereby substituted for the provisions of K.S.A. 12-1697:

(a) In order to provide revenues to promote tourism and conventions, the Governing Body of the City of Garnett, Kansas does hereby levy a Transient Guest Tax at the rate of four percent (4%) upon the gross receipts derived from or paid by transient guests for sleeping accommodations in any hotel, motel, or tourist court within said City.

(b) Any Transient Guest Tax levied pursuant to this Charter Ordinance shall be based upon the gross rental receipts collected by any business.

(c) The taxes levied pursuant to this Charter Ordinance shall be paid by the consumer or user to the business, and it shall be the duty of each and every business to collect from the consumer or user the full amount of any such tax or an amount equal, as nearly as possible or practicable, to the average equivalent thereto. Each business collecting any of the taxes levied hereunder shall be responsible for paying over the same to the State Department of Revenue in the manner prescribed by the provisions of K.S.A. 12-1698 or as that section may hereafter be amended, and the State Department of Revenue shall administer and enforce the collection of such tax the same as if such are levied

under the authority of K.S.A. 12-1697.

(d) The collection of a Transient Guest Tax levied as authorized under this Charter Ordinance shall commence on the 1st day of the calendar quarter next following the 30th day after the receipt by the Kansas Department of Revenue of a certified copy of this Charter Ordinance.

SECTION 4: The following is hereby substituted for the provisions of K.S.A. 12-1695 and K.S.A. 12-16,101:

The City of Garnett, Kansas shall be and is authorized to expend the funds raised by the levy of any tax under the authority of this Charter Ordinance on such programs and projects as reasonably may be expected to promote tourism or conventions within the City of Garnett, Kansas. The City Manager is hereby authorized on behalf of the Governing Body to make such expenditures directly or contract for convention and tourism programs to be implemented.

SECTION 5: This Charter Ordinance shall be published once each week for two consecutive weeks in an official newspaper of the City of Garnett, Kansas.

SECTION 6: This Charter Ordinance shall take effect sixty-one (61) days after final publication, unless a sufficient petition for a referendum is filed requiring a referendum to be held on this Ordinance as provided in Article 12, Section 5 of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective only if approved by a majority of the electors voting thereon.

SECTION 7: Charter Ordinance #15 of the City of Garnett, Kansas, is hereby repealed; PROVIDED, HOWEVER, this repealer shall not take effect until the 1st day of the calendar quarter next following the 30th day after the receipt by the Kansas Department of Revenue of a certified copy of this Charter Ordinance.

PASSED by the Governing Body of the City of Garnett, Kansas, no less than two-thirds (2/3rds) of its members elect voting in favor thereof on this 22nd day of January, 2013.

/s/ Greg A. Gwin
Mayor

ATTEST
/s/ Kristina L. Kinney
City Clerk

STATE OF KANSAS, ANDERSON COUNTY, SS:

I, Kristina L. Kinney, City Clerk in and for the City of Garnett, Kansas, do
Hereby certify that the above and foregoing is a true and correct copy of
Charter Ordinance No. 21, which was duly passed by the Governing Body
of the City of Garnett, Kansas on January 22, 2013 and published in
an official newspaper of the City of Garnett, Kansas on January 29, 2013 and
February 5, 2013.

IN WITNESS WHEREOF, I have subscribed my name and affixed
the seal of my office this 9th day of March, 2016.


Kristina L. Kinney, City Clerk

(SEAL)

CHARTER ORDINANCE NO. 22

=====

A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS FROM K.S.A. 12-1692, K.S.A. 12-1693, K.S.A. 12-1695, K.S.A. 12-1696, K.S.A. 12-1697 and K.S.A. 12-16,101, RELATING TO THE PROMOTION OF TOURISM AND CONVENTIONS WITHIN THE CITY OF GARNETT, KANSAS THROUGH A TAX LEVY COMMONLY CALLED A "TRANSIENT GUEST TAX"; AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT; REPEALING CHARTER ORDINANCE NO. 21.

=====

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

SECTION 1: The City of Garnett, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from the provisions of K.S.A. 12-1692, K.S.A. 12-1693, K.S.A. 12-1695, K.S.A. 12-1696, K.S.A. 12-1697 and K.S.A. 12-16,101, parts of an enactment which do not apply uniformly to all cities.

SECTION 2: The following is hereby substituted for the provisions of K.S.A. 12-1692:

As used in this Charter Ordinance, the following words and phrases shall have the meanings respectively ascribed to them:

- (a) "Person" means an individual, firm, partnership, corporation, joint venture or other association of persons;
- (b) "Hotel, motel or tourist court" means any structure or building which contains rooms furnished for the purposes of providing lodging, which may or may not also provide meals, entertainment or various other personal services to transient guests, and which is kept, used, maintained, advertised or held out to the public as a place where sleeping accommodations are sought for pay or compensation by transient or permanent guests having more than two bedrooms furnished for the accommodation of such guests, but does not include an apartment or house;
- (c) "Transient guest" means a person who occupies a room in a hotel, motel or tourist court for any period of time, but shall not include a person who occupies an apartment or house;
- (d) "Business" means any person engaged in the business of renting, leasing or letting living quarters, sleeping accommodations, rooms or a part thereof in connection with any motel, hotel or tourist court;

- (e) "Convention and tourist promotion" means: Activities to attract visitors into the community through marketing efforts, including advertising, directed to pleasure travellers and others whose presence in the community is likely to increase local business activity or which encourage increased lodging facility occupancy.
- (f) "Accommodations broker" means any business which maintains an inventory of two or more rooms in one or more locations which are offered for pay to a person or persons.

SECTION 3: The following is hereby substituted for the provisions of K.S.A. 12-1693:

- (a) In order to provide revenues to promote tourism and conventions, the Governing Body of the City of Garnett, Kansas does hereby levy a Transient Guest Tax at the rate of five percent (5%) upon the gross receipts derived from or paid by transient guests for sleeping accommodations in any hotel, motel, or tourist court within said City.
- (b) Any Transient Guest Tax levied pursuant to this Charter Ordinance shall be based upon the gross rental receipts collected by any business.
- (c) The taxes levied pursuant to this Charter Ordinance shall be paid by the consumer or user to the business, and it shall be the duty of each and every business to collect from the consumer or user the full amount of any such tax or an amount equal, as nearly as possible or practicable, to the average equivalent thereto. Each business collecting any of the taxes levied hereunder shall be responsible for paying over the same to the State Department of Revenue in the manner prescribed by the provisions of K.S.A. 12-1694 or as that section may hereafter be amended, and the State Department of Revenue shall administer and enforce the collection of such tax the same as if such were levied under the authority of K.S.A. 12-1693.
- (d) The collection of a Transient Guest Tax levied as authorized under this Charter Ordinance shall commence on the 1st day of the calendar quarter next following the 30th day after the receipt by the Kansas Department of Revenue of a certified copy of this Charter Ordinance.

SECTION 4: The following is hereby substituted for the provisions of K.S.A. 12-1695 and K.S.A. 12-16,101:

The City of Garnett, Kansas shall be and is authorized to expend the funds raised by the levy of any tax under the authority of this Charter Ordinance on such programs and projects as reasonably may be expected to promote tourism or conventions benefitting the City of Garnett, Kansas. The City Manager is hereby authorized on behalf of the Governing Body to make such expenditures directly or contract for convention and tourism programs to be implemented.

SECTION 5: If any part of this Charter Ordinance shall be declared void by a court of competent jurisdiction, the remaining portions thereof not declared void shall remain in full force and effect, it being the declared intention of the Governing Body that such as remains and are not void would have been adopted as and for the text of this ordinance.

SECTION 6: This Charter Ordinance shall be published once each week for two consecutive weeks in an official newspaper of the City of Garnett, Kansas.

SECTION 7: This Charter Ordinance shall take effect sixty-one (61) days after final publication, unless a sufficient petition for a referendum is filed requiring a referendum to be held on this Ordinance as provided in Article 12, Section 5 of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective only if approved by a majority of the electors voting thereon.

SECTION 8: Charter Ordinance #21 of the City of Garnett, Kansas, is hereby repealed; PROVIDED, HOWEVER, this repealer shall not take effect until the 1st day of the calendar quarter next following the 30th day after the receipt by the Kansas Department of Revenue of a certified copy of this Charter Ordinance.

PASSED by the Governing Body of the City of Garnett, Kansas, not less than two-thirds (2/3rds) of its members elect voting in favor thereof on this 11th day of February, 2014.

A T T E S T:

City Clerk

Mayor

STATE OF KANSAS, ANDERSON COUNTY, SS:

I, Kristina L. Kinney, City Clerk in and for the City of Garnett, Kansas, do
Hereby certify that the above and foregoing is a true and correct copy of
Charter Ordinance No. 22, which was duly passed by the Governing Body
of the City of Garnett, Kansas on February 11, 2014 and published in
an official newspaper of the City of Garnett, Kansas on February 18, 2014 and
February 25, 2014. I further certify no protest was filed.

IN WITNESS WHEREOF, I have subscribed my name and affixed
the seal of my office this 12th day of May, 2014.

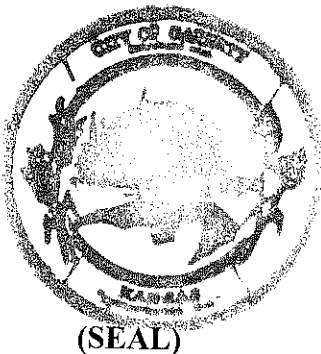

Kristina L. Kinney, City Clerk

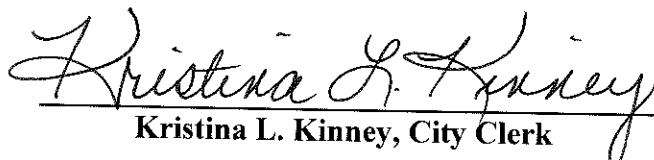
(SEAL)

STATE OF KANSAS, ANDERSON COUNTY, SS:

I, Kristina L. Kinney, City Clerk in and for the City of Garnett, Kansas, do
Hereby certify that the above and foregoing is a true and correct copy of
Charter Ordinance No. 22, which was duly passed by the Governing Body
of the City of Garnett, Kansas on February 11, 2014 and published in
an official newspaper of the City of Garnett, Kansas on February 18, 2014 and
February 25, 2014. I further certify no protest was filed.

IN WITNESS WHEREOF, I have subscribed my name and affixed
the seal of my office this 12th day of May, 2014.




Kristina L. Kinney, City Clerk

CHARTER ORDINANCE NO. 23

=====

A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS FROM K.S.A. 12-1692, K.S.A. 12-1693, K.S.A. 12-1695, K.S.A. 12-1696, K.S.A. 12-1697 and K.S.A. 12-16,101, RELATING TO THE PROMOTION OF TOURISM AND CONVENTIONS WITHIN THE CITY OF GARNETT, KANSAS THROUGH A TAX LEVY COMMONLY CALLED A "TRANSIENT GUEST TAX"; AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT; REPEALING CHARTER ORDINANCE NO. 22.

=====

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

SECTION 1: The City of Garnett, Kansas, by the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from the provisions of K.S.A. 12-1692, K.S.A. 12-1693, K.S.A. 12-1695, K.S.A. 12-1696, K.S.A. 12-1697 and K.S.A. 12-16,101, parts of an enactment which do not apply uniformly to all cities.

SECTION 2: The following is hereby substituted for the provisions of K.S.A. 12-1692:

As used in this Charter Ordinance, the following words and phrases shall have the meanings respectively ascribed to them:

- (a) "Person" means an individual, firm, partnership, corporation, joint venture or other association of persons;
- (b) "Hotel, motel or tourist court" means any structure or building which contains rooms furnished for the purposes of providing lodging, which may or may not also provide meals, entertainment or various other personal services to transient guests, and which is kept, used, maintained, advertised or held out to the public as a place where sleeping accommodations are sought for pay or compensation by transient or permanent guests having more than two bedrooms furnished for the accommodation of such guests, but does not include an apartment or house;
- (c) "Transient guest" means a person who occupies a room in a hotel, motel or tourist court for any period of time, but shall not include a person who occupies an apartment or house;
- (d) "Business" means any person engaged in the business of renting, leasing or letting living quarters, sleeping accommodations, rooms or a part thereof in connection with any motel, hotel or tourist court;

- (e) "Convention and tourist promotion" means: Activities to attract visitors into the community through marketing efforts, including advertising, directed to pleasure travellers and others whose presence in the community is likely to increase local business activity or which encourage increased lodging facility occupancy.
- (f) "Accommodations broker" means any business which maintains an inventory of two or more rooms in one or more locations which are offered for pay to a person or persons.

SECTION 3: The following is hereby substituted for the provisions of K.S.A. 12-1693:

- (a) In order to provide revenues to promote tourism and conventions, the Governing Body of the City of Garnett, Kansas does hereby levy a Transient Guest Tax at the rate of six percent (6%) upon the gross receipts derived from or paid by transient guests for sleeping accommodations in any hotel, motel, or tourist court within said City.
- (b) Any Transient Guest Tax levied pursuant to this Charter Ordinance shall be based upon the gross rental receipts collected by any business.
- (c) The taxes levied pursuant to this Charter Ordinance shall be paid by the consumer or user to the business, and it shall be the duty of each and every business to collect from the consumer or user the full amount of any such tax or an amount equal, as nearly as possible or practicable, to the average equivalent thereto. Each business collecting any of the taxes levied hereunder shall be responsible for paying over the same to the State Department of Revenue in the manner prescribed by the provisions of K.S.A. 12-1694 or as that section may hereafter be amended, and the State Department of Revenue shall administer and enforce the collection of such tax the same as if such were levied under the authority of K.S.A. 12-1693.
- (d) The collection of a Transient Guest Tax levied as authorized under this Charter Ordinance shall commence on the 1st day of the calendar quarter next following the 30th day after the receipt by the Kansas Department of Revenue of a certified copy of this Charter Ordinance.

SECTION 4: The following is hereby substituted for the provisions of K.S.A. 12-1695 and K.S.A. 12-16,101:

The City of Garnett, Kansas shall be and is authorized to expend the funds raised by the levy of any tax under the authority of this Charter Ordinance on such programs and projects as reasonably may be expected to promote tourism or conventions benefitting the City of Garnett, Kansas. The City Manager is hereby authorized on behalf of the Governing Body to make such expenditures directly or contract for convention and tourism programs to be implemented.

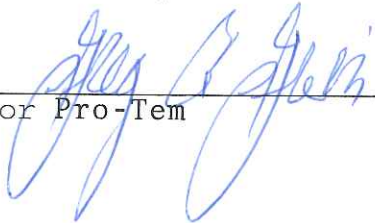
SECTION 5: If any part of this Charter Ordinance shall be declared void by a court of competent jurisdiction, the remaining portions thereof not declared void shall remain in full force and effect, it being the declared intention of the Governing Body that such as remains and are not void would have been adopted as and for the text of this ordinance.

SECTION 6: This Charter Ordinance shall be published once each week for two consecutive weeks in an official newspaper of the City of Garnett, Kansas.

SECTION 7: This Charter Ordinance shall take effect sixty-one (61) days after final publication, unless a sufficient petition for a referendum is filed requiring a referendum to be held on this Ordinance as provided in Article 12, Section 5 of the Constitution of the State of Kansas, in which case this Charter Ordinance shall become effective only if approved by a majority of the electors voting thereon.

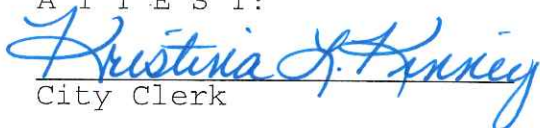
SECTION 8: Charter Ordinance #22 of the City of Garnett, Kansas, is hereby repealed; PROVIDED, HOWEVER, this repealer shall not take effect until the 1st day of the calendar quarter next following the 30th day after the receipt by the Kansas Department of Revenue of a certified copy of this Charter Ordinance.

PASSED by the Governing Body of the City of Garnett, Kansas, not less than two-thirds (2/3rds) of its members elect voting in favor thereof on this 27th day of January, 2015.



Mayor Pro-Tem

A T T E S T:



City Clerk

Case No. Charter Ordinance No. 23

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, ANDERSON COUNTY, ss:

Vern Brown/Barbara Thompson, of lawful age, being first duly sworn on oath, states that:

I am one of the publishers of The Anderson County Advocate, a weekly newspaper published in Garnett, Anderson County, Kansas, and of general circulation in said county and state. The Anderson County Advocate has been published at least weekly fifty times a year from June 26, 1997 to date. The newspaper is entered as second class mail at Garnett, Kansas, the post office of publication, and has a general paid circulation on a weekly basis, and more than 50% of the circulation is sold to such subscribers on that basis. It is not a trade, religious or fraternal publication.

The notice, a true copy of which is attached, was published in the regular and entire issue of said weekly newspaper for 2 consecutive weeks, to-wit:

1st publication February 5, 2015
2nd publication February 12, 2015
3rd publication _____

Barbara Thompson
Vern Brown/Barbara Thompson

Subscribed and sworn to before me,
this 18th day of February, 2015

Bonnie J. Lile
Notary Public

My appt. expires 05-12-2016



STATE OF KANSAS, ANDERSON COUNTY, SS:

I, Kristina L. Kinney, City Clerk in and for the City of Garnett, Kansas, do
Hereby certify that the above and foregoing is a true and correct copy of
Charter Ordinance No. 23, which was duly passed by the Governing Body
of the City of Garnett, Kansas on January 27, 2015 and published in
an official newspaper of the City of Garnett, Kansas on February 05, 2015 and
February 12, 2015. I further certify no protest was filed.

IN WITNESS WHEREOF, I have subscribed my name and affixed
the seal of my office this 14th day of April, 2015.



Kristina L. Kinney, City Clerk

(SEAL)

(Published in *The Anderson County Review* on April 21, 2015 and April 28, 2015)

CHARTER ORDINANCE NO. 24

A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS, FROM THE PROVISIONS OF K.S.A. 14-570 AND K.S.A. 14-571 AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT RELATING TO PUBLIC IMPROVEMENTS AND THE ISSUANCE OF BONDS FOR THE PURPOSE OF PAYING FOR SAID IMPROVEMENTS.

WHEREAS, Article 12, Section 5 of the Constitution of the State of Kansas (the "Act"), provides that cities may exercise certain home rule powers, including passing charter ordinances which exempt such cities from non-uniform enactments of the Kansas Legislature; and

WHEREAS, the City of Garnett, Kansas (the "City") is a city, as defined in the Act, duly created and organized, under the laws of the State of Kansas; and

WHEREAS, K.S.A. 14-570 and K.S.A. 14-571 are part of an enactment of the Kansas Legislature (K.S.A. 14-570 *et seq.*) relating to public improvements and the issuance of bonds for such purposes, which enactment is applicable to the City, but is not uniformly applicable to all cities within the State of Kansas; and

WHEREAS, the governing body of the City (the "Governing Body") desires, by charter ordinance, to exempt the City from the provisions of K.S.A. 14-570 and K.S.A. 14-571, and to provide substitute and additional provisions therefor.

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

Section 1. Exemption. The City, by virtue of the powers vested in it by the Act, hereby elects to exempt itself from and make inapplicable to it the provisions of K.S.A. 14-570 and K.S.A. 14-571, and shall be governed by the following substitute and additional provisions contained herein.

Section 2. Master Plan for Public Improvements. Whenever the City Administrator or their designee has filed with the Governing Body a master capital improvements plan (the "Plan") for the physical development of the City within the boundaries of the City, including the acquisition of land necessary therefor, the acquisition of equipment, vehicles or other personal property to be used in relation thereto, or the assumption and payment of benefit district indebtedness previously created for public improvements, and which Plan may require a number of years to execute, and such Plan is approved by the Governing Body, the City is hereby authorized to issue its general obligation bonds (the "Bonds") in an amount sufficient to carry out such Plan and associated costs.

Section 3. Procedure for Issuance of Bonds. Before any Bonds are authorized or issued pursuant to this Charter Ordinance, the City shall adopt a resolution specifying the amount of such Bonds and the purpose of the issuance thereof.

Section 4. Severability. If any provision or section of this Charter Ordinance is deemed or ruled unconstitutional or otherwise illegal or invalid by any court of competent jurisdiction, such illegality

(Certificate of No Protest)

or invalidity shall not affect any other provision of this Charter Ordinance. In such instance, this Charter Ordinance shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

Section 5. Effective Date. 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 purpose.

PASSED with at least a two-thirds (2/3) vote of the entire governing body of the City of Garnett, Kansas, on April 14, 2015 and signed by the Mayor.

(SEAL)



Mayor

ATTEST:



City Clerk

**EXCERPT OF MINUTES OF A MEETING
OF THE GOVERNING BODY OF
THE CITY OF GARNETT, KANSAS
HELD ON APRIL 14, 2015**

The governing body met in regular session at the usual meeting place in the City, at 6:00 p.m., the following members being present and participating, to-wit:

Mayor Greg A. Gwin; Commissioner Peine; and Commissioner Blackie

Absent: None

The Mayor declared that a quorum was present and called the meeting to order.

* * * * *

(Other Proceedings)

Thereupon, there was presented a Charter Ordinance entitled:

**A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS,
FROM THE PROVISIONS OF K.S.A. 14-570 AND K.S.A. 14-571 AND
PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME
SUBJECT RELATING TO PUBLIC IMPROVEMENTS AND THE ISSUANCE OF
BONDS FOR THE PURPOSE OF PAYING FOR SAID IMPROVEMENTS.**

Thereupon, Commissioner Peine moved that said Ordinance be passed. The motion was seconded by Mayor Gwin. Said Ordinance was duly read and considered, and upon being put, the motion for the passage of said Ordinance was carried by the vote of the governing body, the vote being as follows:

Yea: Gwin; Peine and Blackie.

Nay: None.

Thereupon, the Mayor declared said Charter Ordinance duly passed with more than a 2/3 vote of the governing body, and the Charter Ordinance was then duly numbered Charter Ordinance No. 24, was signed by the Mayor and attested by the Clerk and was directed to be published once a week for two consecutive weeks in the official newspaper of the City.

* * * * *

(Other Proceedings)

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On motion duly made, seconded and carried, the meeting thereupon adjourned.

CERTIFICATE

I hereby certify that the foregoing Excerpt of Minutes is a true and correct excerpt of the proceedings of the governing body of the City of Garnett, Kansas, held on the date stated therein, and that the official minutes of such proceedings are on file in my office.

(SEAL)




Kristina L. Kinney, City Clerk

CERTIFICATE OF NO PROTEST

STATE OF KANSAS

)

) ss:

COUNTY OF ANDERSON

)

The undersigned, Clerk of the City of Garnett, Kansas (the "City"), does hereby certify that the governing body of the City duly passed Charter Ordinance No. 24, on April 14, 2015, that said Charter Ordinance was published once a week for two consecutive weeks (April 21, 2015 and April 28, 2015) in *The Anderson County Review*, an official City newspaper; that more than sixty (60) days have elapsed from the date of the last said publication; and that there has been no sufficient written protest filed in my office against said Charter Ordinance, as provided in Article 12, Section 5 of the Kansas Constitution.

WITNESS my hand and official seal on the 6th day of July, 2015.

(Seal)



Kristina L. Kuney

Clerk

STATE OF KANSAS, ANDERSON COUNTY, SS:

I, Kristina L. Kinney, City Clerk in and for the City of Garnett, Kansas, do
Hereby certify that the above and foregoing is a true and correct copy of
Charter Ordinance No. 24, which was duly passed by the Governing Body
of the City of Garnett, Kansas on April 14, 2015 and published in
an official newspaper of the City of Garnett, Kansas on April 21, 2015 and April
28, 2015.

IN WITNESS WHEREOF, I have subscribed my name and affixed
the seal of my office this 9th day of March, 2016.



Kristina L. Kinney, City Clerk

(SEAL)

=====

A CHARTER ORDINANCE EXEMPTING THE CITY OF GARNETT, KANSAS FROM
THE PROVISIONS OF L. 2015, CHAPTER 88, SECTION 71, RELATING TO
THE FILLING OF GOVERNING BODY VACANCIES.

=====

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

SECTION 1. The City of Garnett, Kansas, by virtue of the power vested in it by Article 12, Section 5 of the Constitution of the State of Kansas, hereby elects to exempt, and does hereby exempt itself and make inapplicable to it L. 2015, Chapter 88, Section 71, relating to the filling of governing body vacancies, which said enactment applies to this city, but does not apply uniformly to all cities.

SECTION 2. This charter ordinance shall be published once each week for two consecutive weeks in an official newspaper of the city of Garnett, Kansas.


SECTION 3. This charter ordinance shall take effect and be in force 61 days after final publication, unless a sufficient petition for a referendum is filed requiring a referendum to be held on this charter ordinance as provided in Article 12, Section 5 of the constitution of the state of Kansas, in which case this charter ordinance shall become effective only if approved by a majority of the electors voting thereon.

PASSED this 22nd day of December, 2015, not less than two thirds of the members-elect of the governing body voting in favor thereof.



Mayor

ATTEST:



City Clerk

STATE OF KANSAS, ANDERSON COUNTY, SS:

I, Kristina L. Kinney, City Clerk in and for the City of Garnett, Kansas, do

Hereby certify that the above and foregoing is a true and correct copy of

Charter Ordinance No. 20, which was duly passed by the Governing Body

of the City of Garnett, Kansas on January 24, 2012 and published in

an official newspaper of the City of Garnett, Kansas on January 27, 2012 and
February 3, 2012.

IN WITNESS WHEREOF, I have subscribed my name and affixed
the seal of my office this 1st day of March, 2012.


Kristina L. Kinney, City Clerk

(SEAL)

CHARTER ORDINANCE 26
REPEAL OF CHARTER ORDINANCE 3


A CHARTER ORDINANCE REPEALING CHARTER ORDINANCE NUMBER THREE (3) WHICH EXEMPTS THE CITY OF GARNETT, KANSAS FROM K.S.A. 12-825d AND ESTABLISHED SUBSTITUTE AND ADDITIONAL PROVISIONS THEREFOR.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARNETT, KANSAS THAT,

SECTION 1. The City of Garnett, Kansas by the power vested in it by Article Twelve (12), Section Five (5) of the Constitution of the State of Kansas, hereby repeals Charter Ordinance Number Three (3).

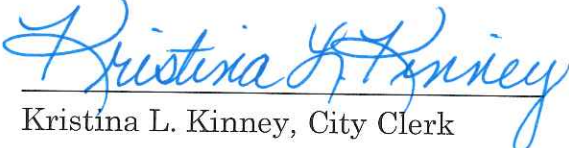
SECTION 2. This Charter Ordinance shall be published once each week for two successive weeks in the Official City Newspapers, but this Charter Ordinance shall not become effective until sixty (60) days after its final publication. In the event a sufficient petition for a referendum is filed, requiring a referendum to be held on the Charter Ordinance as provided by Article Twelve (12), Section Five (5), Subsection (c)(3) of the Constitution of the State of Kansas, this Charter Ordinance shall become effective upon approval by the majority of the electors voting thereon.

PASSED AND APPROVED BY THE GOVERNING BODY OF GARNETT, KANSAS, this 22nd day of August, 2017.



W. Gordon Blackie, Mayor

ATTEST:



Kristina L. Kinney, City Clerk



Case No. Ordinance 26

AFFIDAVIT OF PUBLICATION

STATE OF KANSAS, ANDERSON COUNTY, ss:

Vern Brown/Barbara Thompson, of lawful age, being first duly sworn on oath, states that:

I am one of the publishers of The Anderson County Advocate, a weekly newspaper published in Garnett, Anderson County, Kansas, and of general circulation in said county and state. The Anderson County Advocate has been published at least weekly fifty times a year from June 26, 1997 to date. The newspaper is entered as second class mail at Garnett, Kansas, the post office of publication, and has a general paid circulation on a weekly basis, and more than 50% of the circulation is sold to such subscribers on that basis. It is not a trade, religious or fraternal publication.

The notice, a true copy of which is attached, was published in the regular and entire issue of said weekly newspaper for 2 consecutive weeks, to-wit:

1st publication August 31, 2017
2nd publication September 5, 2017
3rd publication September 12, 2017

Barbara Thompson
Vern Brown/Barbara Thompson

Subscribed and sworn to before me,
this 20th day of October, 2017

[Signature]
Notary Public

My appt. expires 10-5-2020



CHARTER ORDINANCE 27
ESTABLISHMENT OF THE PUBLIC SAFETY FUND

A CHARTER ORDINANCE OF THE CITY OF GARNETT, KANSAS, ESTABLISHING THE PUBLIC SAFETY FUND FOR BUDGETARY PURPOSES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF GARNETT, KANSAS THAT,

SECTION 1. The existing Law Enforcement Fund shall be renamed the Public Safety Fund and its scope shall be broadened to include funding for all operations of both the Police Department and Fire Department of the City. Moneys may be budgeted and transferred to such fund from any source which may be lawfully utilized for such purposes. For purposes of provided moneys for the Public Safety Fund, the Governing Body is authorized to impose a mill levy on an annual basis for ad valorem tax purposes on the assessed valuation of all taxable, tangible property within the corporate boundaries of the City in the maximum amount authorized by law. While the Police Department's expenses are already paid out of this fund, the Fire Department's expenses will be paid out of this fund starting January 1st, 2018.

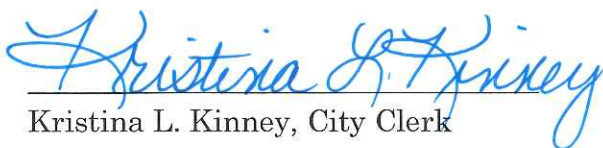
SECTION 2. This Charter Ordinance shall be published once each week for two successive weeks in the Official City Newspapers, but this Charter Ordinance shall not become effective until sixty (60) days after its final publication. In the event a sufficient petition for a referendum is filed, requiring a referendum to be held on the Charter Ordinance as provided by Article Twelve (12), Section Five (5), Subsection (c)(3) of the Constitution of the State of Kansas, this Charter Ordinance shall become effective upon approval by the majority of the electors voting thereon.

PASSED AND APPROVED BY THE GOVERNING BODY OF GARNETT, KANSAS, this 12th day of September, 2017.



W. Gordon Blackie, Mayor

ATTEST:



Kristina L. Kinney, City Clerk

