

CHARTER ORDINANCE NO. 10

A CHARTER ORDINANCE EXEMPTING THE CITY OF BURLINGTON, KANSAS, FROM THE PROVISIONS OF K.S.A. 12-834 RELATING TO BONDS FOR GAS, WATER, LIGHT, HEAT, STREET-RAILWAY OR TELEPHONE SERVICE AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT.

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

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

WHEREAS, K.S.A. 12-834 applies to the City, and certain provisions of K.S.A. 12-834 are not uniformly applicable to all cities in that K.S.A. 12-834 applies only to cities of the second and third class; and

WHEREAS, the Governing Body of the City hereby determines that it is in the best interest of the City to exempt the City from K.S.A. 12-834 and to provide substitute and additional provisions on the same subject;

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

Section 1. The City, 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. 12-834 and provide substitute and additional provisions as hereinafter set forth in this Charter Ordinance. Such referenced provisions are either enactments or a part thereof which are applicable to the City but are not applicable uniformly to all cities. Such substitute and additional provisions for K.S.A. 12-834 shall be as follows:

Whenever and as often as the governing body of any city determines that the necessities of the city require the issuance of general obligation bonds of such city for the purpose of purchasing, extending and improving, or purchasing, constructing or extending works for the purpose of supplying such city and its inhabitants with natural gas, water, electric, or heating, or street-railway or telephone service, it shall be lawful for the governing body of such city by ordinance duly passed to direct the issuance of such bonds, which bonds shall be issued according to law.

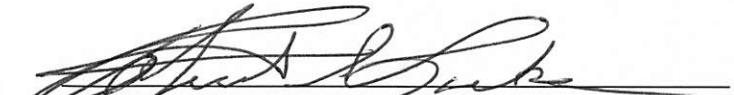
Section 2. This Charter Ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

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

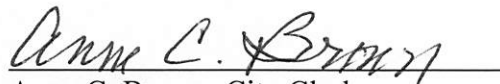
PASSED by not less than a two-thirds vote of the members-elect of the Governing Body of the City and approved by the Mayor on November 17, 2021.



CITY OF BURLINGTON, KANSAS


Robert S. Luke, Mayor

ATTEST:


Anne C. Brown, City Clerk