

## **Charter Ordinance No. 31**

### **A CHARTER ORDINANCE EXEMPTING THE CITY OF FORT SCOTT, KANSAS FROM THE PROVISIONS OF K.S.A. 12-631p RELATING TO THE DISPOSITION OF SEWER AND STORM SEWER RESERVE FUNDS.**

**WHEREAS**, the City has created reserve funds for the proceeds of certain municipal utilities including a sewer reserved fund or funds; and

**WHEREAS**, the City's budget requires, from time to time, transfer of moneys from funds with a revenue surplus to other funds, especially non-revenue funds, in order to budget and provide for the legitimate items and expenses of government; and

**WHEREAS**, such a change as it regards the sewer and storm sewer funds requires an exemption from certain statutes.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT SCOTT, BOURBON COUNTY, KANSAS:**

**Section 1.** The City of Fort Scott, Kansas, by the power invested in it by Article XII, § 5 of the Constitution of the State of Kansas, hereby elects to exempt itself from certain provisions of K.S.A. 12-631p, which applies to the City, but not uniformly to all Kansas Cities, and to provide substitute provisions set out hereinafter with reference to the transfer of monies from sewer and storm sewer accounts and/or reserve funds and the use of such transferred funds.

**Section 2.** The City of Fort Scott, Kansas shall be exempt from the last sentence of K.S.A. 12-631p, which shall be replaced with the following:

If the governing body shall determine that all or any part of the moneys which have been transferred or paid is not needed for the purposes for the stated purpose of the fund(s), or the finance director requests a transfer of funds, the governing body, by resolution or through the adoption of the annual budget, may transfer or authorize the transfer of such amounts as it deems necessary from the sewer fund(s), storm sewer fund(s) and/or reserve fund(s) to the general fund, or any other fund of the City, for any lawful purpose.

**Section 3.** This Charter Ordinance shall repeal any prior Home Rule or Charter Home Rule ordinance of the City of Fort Scott conflicting with the subject matter contained herein.

**Section 4.** This Charter Ordinance shall be published once each week for two (2) consecutive weeks in the official City newspaper.

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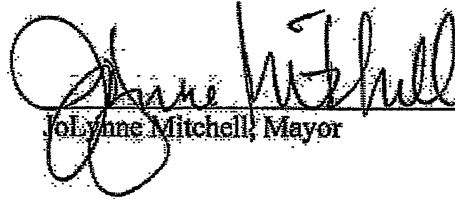
Section 5. This Charter Ordinance shall take effect sixty-one (61) days after final publication unless a petition, meeting the requirements of Article XII, §5(c)(3) of the Constitution of the State of Kansas, is filed with the City Clerk, in which case this Charter Ordinance shall only become effective if approved by the electors as set out in the above provision of the Constitution.

Passed by the City Commission of the City of Fort Scott, Kansas, with not less than two thirds (2/3) of the members voting in favor on this 18<sup>th</sup> day of August, 2020.

THE CITY OF FORT SCOTT, KANSAS



By:

  
Jolynne Mitchell, Mayor

  
Diane K. Clay, City Clerk

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