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CHARTER ORDINANCE NO. 10

A CHARTER ORDINANCE EXEMPTING THE CITY OF WASHINGTON, KANSAS, FROM K.S.A. 79-5011 AND K.S.A. 79-1953, PROVIDING SUBSTITUTES AND ADDITIONAL PROVISIONS ON THE SAME SUBJECT; AND AUTHORIZING THE LEVYING OF TAXES TO PAY FOR ALL ACTIVITIES WITHIN THE GENERAL OPERATING FUND, CREATING A SEPARATE SPECIAL EMPLOYEES BENEFIT FUND; AND REPEALING CHARTER ORDINANCE NO. 8.

Be It Ordained By the Governing Body of the City of Washington, Kansas:

SECTION 1. The City of Washington, 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 as amended and K.S.A. 79-1953 and to provide substitute and additional provisions as hereinafter set forth in this Charter Ordinance. K.S.A. 79-5011 is a part of a legislative enactment of the legislature establishing an aggregate tax levy limitation applicable to this City but not applicable uniformly to all cities. K.S.A. 79-1953 is a legislative enactment establishing a limitation on certain tax levies applicable to this City but not applicable uniformly to all cities.

SECTION 2. The provisions of K.S.A. 79-5001 to 79-5016, inclusive, shall not apply to or limit the levy of taxes by the City of Washington, Kansas, 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 judgment rendered against the City;
- (d) Special assessments charged against the City at large;
- (e) Employee benefits whether paid from a separate property tax levy fund of the City or from any other tax supported fund.

SECTION 3. The Governing Body of the City of Washington, Kansas, is hereby authorized and empowered to levy taxes in each year for the general fund and other city purposes, but said Governing Body shall not fix a rate of levy in any one (1) year on each dollar assessed tangible valuation of any such city for any of the following named rates:

Library fund.....	5.00 mills;
Airport: joint maintenance and operation, as provided by K.S.A. 3-121.....	0.50 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.....	0.50 mill;
Noxious weed eradication: As provided by K.S.A. 2-1318.....	1.00 mill'
Deficiency levy for chemicals and materials...	0.50 mill.

SECTION 4. The provision of Article 50 of Chapter 79 of the Kansas Statutes Annotated shall not apply to any taxes levied by the City of Washington, levied under the provisions of K.S.A. 40-2305, 74-4920, 44-505c, 44-710e, 12-16, 102, or to any tax lev-

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ies 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 Washington, Kansas.

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 5. The City of Washington is hereby authorized to levy a tax for the purpose of paying expenses of the "general operating fund." As used in this Charter Ordinance "general operating fund" shall include but not be limited to the following activities: General Government; Police Department; Fire Department; Streets and Highways (all public traveled ways, including bridges); Sewer Maintenance, Sanitary and Storm; Parks; Recreation; Swimming Pool; Cemetery; Golf Club; Civil Defense; Traffic Control; Community Buildings; Local Flood Control; Street Lighting and other Public Lighting.

Additionally, the City of Washington is hereby authorized to levy a tax and create a special fund for the purpose of paying the City's share of the cost of employees benefits, which shall include Social Security (F.I.C.A.), Kansas Public Employees Retirement System (K.P.E.R.S.), Workmen's Compensation Insurance Benefits, Employment Security and Unemployment Compensation Benefits, and medical, health and hospitalization insurance.

SECTION 6. The Governing Body of the City of Washington, Kansas, is hereby authorized and empowered to levy taxes in each year for the following purposes, but said Governing Body shall not fix a rate in any one year on each dollar of assessed tangible valuation of the City in excess of the following rates:

Municipal Library....."5.0 mills"

SECTION 7. Charter Ordinance No. 8 is hereby repealed.

SECTION 8. This Charter Ordinance shall be published once each week for two (2) consecutive weeks in the official city newspaper.

SECTION 9. This Charter Ordinance 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 be effective if approved by the majority of the electors voting thereon.

Passed by the Governing Body of the City of Washington, Kansas, not less than two-thirds (2/3) of the members elect voting in favor thereof, the 2nd day of April, 1990.

  
James H. Smart, Mayor

ATTEST::

  
Janet Jones, City Clerk

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