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CHARTER ORDINANCE NO. 49

**A CHARTER ORDINANCE EXEMPTING THE CITY OF ATCHISON, KANSAS, FROM THE PROVISIONS OF K.S.A. 13-1024a AND PROVIDING SUBSTITUTE AND ADDITIONAL PROVISIONS RELATING TO THE ISSUANCE OF UP TO \$1,500,000.00 IN BONDS FOR THE PURPOSE OF PAYING FOR GENERAL IMPROVEMENTS IN THE CITY OF ATCHISON AND REPEALING CHARTER ORDINANCES NOS. 41 AND 47 OF THE CITY.**

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

WHEREAS, Article 12, § 5 of the Constitution of the State of Kansas (the "Act") empowers cities to determine their local affairs and government and provides that such power and authority granted thereby to cities shall be liberally construed for the purpose of giving to cities the largest measure of self-government, including passing charter ordinances which exempt such cities from non-uniform statutes and acts of the Kansas Legislature; and

WHEREAS, the City of Atchison, 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. 13-1024a is part of an enactment of the Kansas Legislature (K.S.A. 13-1024a et seq.) relating to general 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 has heretofore passed Charter Ordinances No. 41 and No. 47 which exempt the City from the provisions of K.S.A. 13-1024a, and provides substitute and additional provisions therefor; and

WHEREAS, the governing body of the City desires, by charter ordinance, to exempt the City from the provisions of K.S.A. 13-1024a, and to provide substitute and additional provisions therefor, and when effective, repeal the provisions of Charter Ordinances No. 41 and No. 47.

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

**Section 1. Exemption - K.S.A. 13-1024a.** 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. 13-1024a, and does hereby provide the following substitute and additional provisions in place thereof:

For the purpose of paying for any bridge, viaduct, public building or structure, airport runway, street, sidewalk or pedestrian way improvements, including the land necessary therefor, for lands for cemeteries, public parks and recreation facilities and developing and making improvements to the same, including the land necessary therefor, within or without the city, for the establishment, development and construction of crematories, desiccating or reduction works, including the land necessary therefor, within or without the city, or for the improvement,

repair or extension of any waterworks, sewage disposal plant or facilities, electric light plant, crematory, desiccating or reduction works or other public utility plant or facilities owned by the city, and for the purpose of rebuilding, adding to or extending to the same from time to time, as the necessities of the city may require, or for the acquisition of equipment, vehicles and other personal property to be used in relation to such public utility or other municipal functions of the city, the city may borrow money and issue its bonds for the same: Provided, That no bonds shall be issued for such purposes unless the same were authorized by a majority of the votes cast at an election held for that purpose: Provided further, That the city may issue the bonds of such city for the purpose of paying for any of the improvements mentioned in this section and the land necessary therefor without such bonds having been authorized by a vote of the people, but the total amount of bonds issued for such purposes shall not exceed the sum of one million five hundred thousand dollars (\$1,500,000) in any one year.

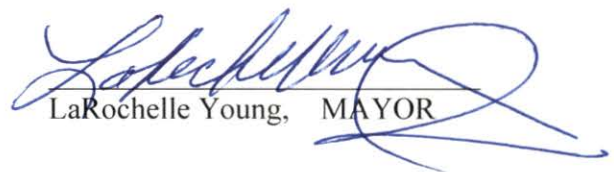
**Section 2. Severability.** Any provision or section of this Charter Ordinance is deemed or ruled unconstitutional or otherwise illegal or invalid by any court of competent jurisdiction, such illegality or invalidity shall not affect any other provision of this Charter Ordinance. In such instance, this 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-one (61) 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 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.

**Section 4. Repealer.** Upon the Effective Date of this Charter Ordinance, Charter Ordinances No. 41 and No. 47 shall be repealed.

Passed with at least two-thirds (2/3) vote of the entire City Commission of the City of Atchison, Kansas, and signed by the Mayor this 5th day of January, 2026.



  
LaRochelle Young, MAYOR

ATTEST:

  
TINA FITZPATRICK CITY CLERK