

(Published in the Topeka Metro News May 20, 2009)

ORDINANCE NO. 19258

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., amending City of Topeka Code § 2-32 concerning general veto procedures and specifically repealing said original section.

WHEREAS, the Governing Body passed and approved on February 24, 2009, Charter Ordinance No. 98 that authorizes the Mayor to vote on certain legislation and the City Council to override a mayoral veto; and

WHEREAS, the majority of the electors of the City of Topeka voting thereon did approve the amendments to the Charter in an election held on April 7, 2009; and

WHEREAS, the procedures set forth in the City Code need to be amended to conform with the Charter Ordinance.

THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That section § 2-32, Veto procedures, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

Veto procedures.

(a) *General procedures.*

(1) The mayor, following council adoption of an ordinance or resolution, legislative in nature, may, on or before the next regular council meeting where formal council action may take place, exercise veto authority as provided for in Charter Ordinance No. 94 as amended or as otherwise provided by law. If the veto authority is not so exercised, the ordinance shall then take effect without the mayor's signature. If the mayor fails to exercise the veto authority and fails to

28 sign the ordinance on or before the next regular council meeting where formal
29 council authority may be exercised, the city ~~council~~clerk shall endorse at the end
30 of the ordinance, as entered in the ordinance book, that it took effect without the
31 signature of the mayor.

32 (2) Neither the deputy mayor, any councilmember, or any other person
33 shall have the authority to exercise the mayor's veto authority over legislative
34 ordinances or resolutions.

35 (3) If the mayor exercises veto authority, the veto shall be established
36 by a written statement giving the objections and reasons therefor. The statement
37 of objection shall be presented to each councilmember, whereupon the
38 councilmembers shall have 30 days to override the mayor's veto as provided for
39 in Charter Ordinance No. 98 or as otherwise provided by law.

40 (4) The question to override may be placed before the council, whether
41 or not on the formal agenda, by any member of the council.

42 (b) *Line item veto procedures.*

43 (1) The mayor, following council adoption of an ordinance containing
44 items of appropriations, may on or before the next regular council meeting where
45 formal council action may take place exercise line item veto authority as provided
46 in Charter Ordinance No. 94 as amended or as otherwise provided by law. If the
47 veto authority is not so exercised, the ordinance shall then take effect without the
48 mayor's signature. If the mayor fails to exercise veto authority and fails to sign
49 the ordinance on or before the next regular council meeting where formal council
50 authority may be exercised, the city clerk shall endorse at the end of the

51 ordinance, as entered in the ordinance book, that it took effect without the
52 signature of the mayor.

53 (2) If the ordinance contains more than one item of appropriation of
54 money, the mayor may veto one or more of such items, while approving the other
55 portions of the ordinance.

56 (3) Neither the deputy mayor, any councilmember, or any other person
57 shall have the authority to exercise the mayor's veto authority over appropriations
58 ordinances.

59 (4) If the mayor exercises veto authority, the veto shall be established
60 by a written statement giving objections as to each item vetoed, and reasons
61 therefor. The statement of objection shall be presented to each councilmember,
62 whereupon the councilmembers shall have 30 days to override the mayor's veto
63 as provided for in Charter Ordinance No. 98 or as otherwise provided by law.

64 (5) The question to override may be placed before the council, whether
65 or not on the formal agenda, by any member of the council.

66 (c) *Veto authority.* Substantial compliance by the mayor with the procedures
67 stated in this section shall be deemed an effective exercise of veto authority.

68 Section 2. That original section § 2-32 of The Code of the City of Topeka,
69 Kansas, is hereby specifically repealed.

70 Section 3. This ordinance shall take effect and be in force from and after its
71 passage, approval and publication in the official City newspaper.

PASSED AND APPROVED by the City Council May 12, 2009.

CITY OF TOPEKA, KANSAS

William W. Buntten, Mayor

ATTEST:

Brenda Younger, City Clerk