

(023804) PUBLISHED IN THE WICHITA EAGLE ON APRIL 24th AND MAY 1st,
2015
CHARTER ORDINANCE NO. 225

A CHARTER ORDINANCE AMENDING AND REPEALING SECTIONS 3, 4, AND 5 OF CHARTER ORDINANCE NO. 138 OF THE CITY OF WICHITA, KANSAS, PERTAINING TO PARKING DISTRICTS WITHIN THE CITY OF WICHITA, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

SECTION 1. Section 3 of Charter Ordinance No. 138 of the City of Wichita, Kansas is hereby amended to read as follows:

Definitions. As used in this Charter Ordinance.

- (a) "Parking District" means a parking district that may be established by the City Council in accordance with this charter ordinance.
- (b) "City" means the City of Wichita, Kansas.
- (c) "City Council" means the Governing body of the City of Wichita, Kansas.
- (d) "Parking Facilities" means place or facility located within a Parking District that is acquired, constructed, improved, operated and maintained in accordance with this Charter Ordinance and which is used for the parking and storing of motor and other vehicles and shall, without limiting the foregoing, include all real and personal property, sidewalks, and pedestrian access ways, driveways, roads, approaches, structures, terminals of all kinds, garages, meters, mechanical equipment, and all appurtenances and facilities either on, above or under the ground which are usable in connection with such parking or storing of vehicles.
- (e) "Parking Station" means individual parking spaces that accommodates one vehicle.
- (f) "Costs" means costs. incurred for preparation of preliminary reports, the preparation of plans and specifications, the preparation and publication of notices of hearings, resolutions, ordinances and other proceedings, necessary fees and expenses of consultants and interest accrued on borrowed money during the period of construction together with the cost of land, materials, labor and other lawful expenses incurred in planning and doing any improvement and may include a charge of not to exceed five percent (5%) of the total cost of an improvement or the cost of work done by the city for the services rendered by the city in the administration and supervision of such improvement by its general officers and where property and/or improvements already owned by the city and previously financed by the issuance of other city bonds is to become part of a parking facility the costs may include not to exceed the principal amount of such outstanding bonds plus interest or if such property was not financed by issuance of bonds, the cost the acquisition cost expended by the City in acquiring the property.

(g) "Consultant" means engineers, architects, planners, attorneys, and other persons deemed competent to advise and assist the City Council in the planning and the making of improvements.

SECTION 2. Section 4 of Charter Ordinance No. 138 of the City of Wichita, Kansas is hereby amended to read as follows:

Purpose of the Charter Ordinance. It is declared to be the purpose of the act to promote and stimulate the development and re-development of buildings and property located within parking districts by providing parking to serve the needs of retail, residential and commercial uses that are located within such districts and that may be stimulated to locate in such areas based on the availability of parking.

SECTION 3. Section 5 of Charter Ordinance No. 138 of the City of Wichita, Kansas is hereby amended to read as follows:

Establishment of a Parking District.

(a) The City Council may on its motion, initiate council proceedings to establish or modify a parking district by resolution. Such resolution shall contain the following:

(1) A description of the boundaries of the proposed parking district. (2) A general description of where such parking facilities are to be located within the parking district and an estimate of the number of parking stations to be located in each parking facility. The location of parking facilities and the number of parking stations may after the district is established, without further hearing, be from time to time be amended to meet the parking needs of the district as they arise. (3) The time and place of a public hearing to be held by the City Council to consider establishment of the district.

(b) A copy of the resolution shall be mailed to each owner of land within the proposed parking district not less than 10 days before the date set for hearing on the establishment or modification of a parking district.

(c) The City Council may after the public hearing establish or modify a parking district by ordinance.

SECTION 4. The original versions of Sections 3, 4, and 5 of Charter Ordinance No. 138 of the City of Wichita, Kansas are hereby repealed.

SECTION 5. This Charter Ordinance shall be published once each week for two consecutive weeks in the official City paper

SECTION 6. This is a Charter Ordinance which shall take effect sixty-one (61) days after final publication, unless a sufficient petition for a referendum is filed requiring a referendum to be held on the ordinance as provided in Article 12, Section 5, Subsection (c)(3), of the Constitution of the State of Kansas, in which case, the ordinance shall become effective if approved by a majority of the electors voting thereon.

PASSED BY THE GOVERNING BODY, not less than two-thirds of the members elect voting in favor thereof, this 21st day of April, 2015.

Carl Brewer - Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form:

Sharon Dickgrafe, Interim City Attorney