

AGENDA ITEM
September 23, 2014

Subject: Update of Administrative Code

Department: Administration

This ordinance is an update of the Administrative Code affirming the City's intent to remain consistent with the interpretation of the Missouri legislature.

BILL NO. 2014-062

ORDINANCE NO.

A GENERAL ORDINANCE OF THE CITY OF NEVADA, MISSOURI, RECOGNIZING, ADOPTING AND INCORPORATING THE CONCEPTS RECOGNIZED IN SECTION 96.195, RSMO., IN THE MUNICIPAL CODE OF THE CITY AS AN ADDITION TO SECTION 2-14 AND AS AN ADDITION TO SECTION 2-109 OF THE CODE OF THE CITY OF NEVADA, MISSOURI.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, MISSOURI THAT:

Section 1. The Council recognizes that certain provisions of Chapter 96 were carried over into Section 2-14 and 2-109 of the Municipal code and that further legislative interpretations in Section 96.195, RSMo were later enacted which are consistent with the city enactment, and which should be set out verbatim in the City Code should any doubt exist or clarification be appropriate, about the exercise of Home Rule Power in those provisions and the city's intent to carry over said concepts in the exercise of Home Rule Charter Powers.

Section 2. The following provision is therefore hereby enacted as an addition to Section 2-14 of the Code of the City of Nevada, Missouri.

"All obligations incurred in connection with the construction, leasing, equipping, operating and maintaining of this facility and grounds and other property, real and personal under control of the board shall be payable only from the fund established for said facility and the assets under control of the board. The city shall not be liable for any such claims or indebtedness except to the extent of the fund established for said facility and the assets under control of the board or as provided pursuant to section 96.222, 96,224, 96,226, and 96.228, RSMo."

Section 3. The following provision is thereby hereby enacted as an addition to Section 2-109 of the Code of the City of Nevada, Missouri.

"All obligations incurred in connection with the construction, leasing, equipping, operating and maintaining of this facility and grounds and other property, real and personal under control of the board shall be payable only from the fund established for said facility and the assets under control of the board. The city shall not be liable for any such claims or indebtedness except to the extent of the fund established for said facility and the assets under control of the board or as provided pursuant to specific legislative enactment."

PASSED, APPROVED and ADOPTED by the City Council of the City of Nevada, Missouri, this ____ day of October, 2014.

Seth Barrett, Mayor

(seal)
Attest:

Bev Baker, City Clerk