

ORDINANCE NO. 120655, AS AMENDED

Calling an election on April 2, 2013, for the purpose of submitting an ordinance proposed by initiative to prevent the City's future financial involvement in nuclear weapons components facilities; directing the City Clerk to provide notice of the election; and recognizing an emergency.

WHEREAS, City Charter Sections 701 through 704 provide for initiative petitions; and

WHEREAS, to place a matter before the voters by an initiative petition signatures of 3,573 Kansas City voters must be submitted; and

WHEREAS, the committee of petitioners submitted 3,791 signatures to place before the voters an ordinance called "Prevention of the City's Future Financial Involvement in Nuclear Weapons Components Facilities"; and

WHEREAS, despite the nearly unanimous belief of the Mayor and City Council that if this proposed ordinance is approved by Kansas City voters it could cost the city numerous private and public sector jobs in the future, would discourage defense industries such as suppliers of the National Nuclear Security Administration and federal agencies from locating in the city and would be extremely difficult to enforce due to its vague and contradictory language, the matter is placed before the voters to comply with the mandate of the City Charter; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. **ELECTION CALLED.** That an election is called on April 2, 2013, for the purpose of submitting to the voters of Kansas City the question of adopting an ordinance proposed by a committee of petitioners known as "Prevention of the City's Future Financial Involvement in Nuclear Weapons Components Facilities."

Section 2. **BALLOT TITLE.** The ballot title for the proposition shall be:

QUESTION \_\_\_\_\_

SHALL THE FOLLOWING BE APPROVED?

Shall the City of Kansas City adopt an ordinance proposed by a committee of petitioners to prohibit the City from entering into, facilitating or giving permission for any future contracts whereby the City is directly financially involved in facilities that produce or procure components for, assemble, or refurbish nuclear weapons, except for outside infrastructure improvements customarily provided by cities and governmental services ordinarily provided to citizens, and also barring any future funding or subsidizing such facility through taxes, bonds, loans, tax credits, credit or any other

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financial scheme or mechanism? The definition of such facility excludes providers of goods and services which were not produced for the purpose of nuclear weapons components production but which may be purchased by such a facility as a consumer.

Section 3. **ELECTION NOTICE.** The Notice of Election shall read as follows:

NOTICE OF ELECTION  
CITY OF KANSAS CITY, MISSOURI

Notice is given to the qualified voters of the City of Kansas City, Missouri, that the City Council of the City has called a special election to be held in the City on April 2, 2013, commencing at 6:00 A.M. and closing at 7:00 P.M., on the question contained in the following sample ballot:

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OFFICIAL BALLOT  
CITY OF KANSAS CITY  
SPECIAL ELECTION, APRIL 2, 2013  
QUESTION NO. \_\_\_\_\_

Shall the City of Kansas City adopt an ordinance proposed by a committee of petitioners to prohibit the City from entering into, facilitating or giving permission for any future contracts whereby the City is directly financially involved in facilities that produce or procure components for, assemble, or refurbish nuclear weapons, except for outside infrastructure improvements customarily provided by cities and governmental services ordinarily provided to citizens, and also barring any future funding or subsidizing such facility through taxes, bonds, loans, tax credits, credit or any other financial scheme or mechanism? The definition of such facility excludes providers of goods and services which were not produced for the purpose of nuclear weapons components production but which may be purchased by such a facility as a consumer.

YES \_\_\_\_\_  
NO \_\_\_\_\_

Instructions to voters will be supplied by the election authorities.

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A complete copy of Ordinance No. 120655, As Amended (as it may be further amended) submitting this question to the electorate is on file in the Office of the City Clerk of Kansas City, Missouri, and is open for inspection and copying.

The election will be held at the following polling places in the City of Kansas City, Missouri: [insert list in last publication only]

\_\_\_\_\_  
I hereby certify that the foregoing is the legal notice to be published pursuant to Section 115.127, RSMo, as amended.

Given under my hand and the official seal of the Kansas City, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

(SEAL)

\_\_\_\_\_  
MARILYN SANDERS  
City Clerk of Kansas City, Missouri

Before me, a notary public, personally appeared Marilyn Sanders, to me known to be the City Clerk of Kansas City, Missouri, and the person who acknowledged to me that she executed the same for the purposes therein stated.

\_\_\_\_\_  
Notary Public

My Commission Expires:\_\_\_\_\_

Section 4. **NOTICE TO ELECTION AUTHORITIES BY CITY CLERK.** That following passage of this ordinance the City Clerk shall deliver certified copies of this ordinance and notice of election to the Clerk of Cass County, Board of Election Commissioners of Clay County, Board of Election Commissioners of Kansas City, and Board of Election Commissioners of Platte County, no sooner than January 15, 2013, but not later than January 22, 2013, which shall be the authority of each election authority of the City to submit the amendment to the electors of Kansas City and to give public notice as provided by law.

Section 5. **ENACTMENT OF ORDINANCE.** That contingent upon approval of the voters, a new section 1-26, code of ordinances, entitled “Initiative ordinance - Removal of City financial involvement in production of nuclear weapons components” is enacted by the people of Kansas City to read as follows:

**Sec. 1-26. Initiative ordinance – Prevention of the City's Future Financial Involvement in Nuclear Weapons Components Facilities**

The City of Kansas City, Missouri ("the City") shall not enter into, facilitate, nor give permission for any future contracts whereby it will be directly financially involved in any facilities that produce or procure components for, assemble, or refurbish nuclear weapons (except for outside infrastructure improvements customarily provided by cities and governmental services ordinarily provided to citizens). The City is also barred in the future from funding or subsidizing such a facility through taxes, bonds, loans, tax credits, credit, or any other financial scheme or mechanism. The definition of such a facility does not include providers of goods and services which were not produced for the purpose of nuclear weapons components production but which may be purchased by such a facility as a consumer.

Section 6. **EMERGENCY RECOGNIZED.** This ordinance, providing for the submission of a question to the people of Kansas City, Missouri, is hereby recognized to be an emergency measure within the meaning of Section 503(a)(3)(A) of the Charter because it calls an election and provides for the submission of proposals to the people; and as such shall become effective immediately following approval by the Mayor, or five days after passage if no action is taken by the Mayor to approve or veto the ordinance.

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Approved as to form:

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William D. Geary  
City Attorney