



# City Council Committee Meeting Notice

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CITY COUNCIL  
City Hall, 215 SE 7th Street, Suite 255  
Topeka, KS 66603-3914  
Tel: (785) 368-3710  
[www.topeka.org](http://www.topeka.org)

**Committee:** Policy & Finance

**Meeting Date:** May 14, 2025

**Time:** 11:00am

**Location:** 1<sup>st</sup> Floor Conference Room, Cyrus K. Holliday Building  
620 SE Madison (*a virtual attendance option is available*)

**Agenda:**

1. Call to order
2. Approve March 25, 2025 Meeting Minutes
3. Presentation: Affordable Housing
4. Action Items:
  - a. Adopt 2024 Uniform Plumbing Code (UPC) Ordinance
  - b. Downtown Parking Ordinance & Resolution
5. Discussion:
  - a. Claims made by City of Topeka
6. Other Items:
7. Public Comment
8. Adjourn

STAFF REQUESTED: Dr. Robert M. Perez, City Manager  
Braxton Copley, Assistant City Manager  
Amanda Stanley, City Attorney  
Rhannon Friedman, Planning & Development Director  
Carrie Higgins, Division Director Housing Services  
Quinn Cole, Management Analyst Planning & Development  
Richard Faulkner, Division Director of Development Services  
Jason Tryon, Deputy Director of Public Works

COMMITTEE MEMBERS: Marcus Miller – District 6  
Spencer Duncan (Chair) – District 8  
Michelle Hoferer – District 9

Contacts: Tonya Bailey, Senior Executive Assistant  
Tara Jefferies, Senior Executive Assistant  
Council Office: [councilassist@topeka.org](mailto:councilassist@topeka.org) 785-368-3710

\*\*\* Please call the Council Office by 5:00pm on the date prior to the meeting to request Zoom link. \*\*\*



# CITY OF TOPEKA

## CITY COUNCIL COMMITTEE MEETING MINUTES

### POLICY AND FINANCE COMMITTEE

CITY COUNCIL  
City Hall, 215 SE 7<sup>th</sup> Street, Suite 255  
Topeka, KS 66603-3914  
Tel: 785-368-3710  
www.topeka.org

Date: March 25, 2025

Time: 1:00pm

Location: 1<sup>st</sup> Floor Conference Room, Cyrus K. Holliday Bldg. 620 SE Madison (*a virtual attendance option is available*)

**Committee members Present:** Spencer Duncan (chair), Marcus Miller, Michelle Hoferer

**City Staff Present:** Senior Attorney Brandy Roy-Bachman, Division Director of Budget and Finance Josh McAnarney, Budget Manager Karisa Mueller, Fire Department Chief Randy Phillips, Deputy Director Public Works Jason Tryon, Parking Manager Sterling Emerson

#### 1) Call to Order

Committee Chair Duncan called the meeting to order at 1:00pm.

#### 2) Approve January 28, 2025 Meeting Minutes

Committee member Miller made a motion to approve the minutes from the previous meeting. Committee member Hoferer seconded. Motion approved 3-0-0.

#### 3) Presentation: Special Street Fund

Budget Manager Karisa Mueller spoke to the purpose of the Special Street Fund which is to repair, give alteration and provide maintenance to streets, including snow removal and sweeping. The challenge of the Special street/Highway Repair Fund is projected to be more difficult in 2026 due to flat revenue due to flat revenue, rising commodities, and personnel costs.

Presentation highlights:

- Revenue Sources: State of Kansas motor fuel tax
- Historical Finances:
  - Revenues decreased 2021 \$6,095,505, 2024 \$5,726,931
  - Expenses increased 2021 \$5,389,491, 2024 \$6,979,313
  - End of Year Balance 2021 \$3,709,057, 2024 \$2,396,798
  - Salary and Vacancy Correlation
  - Blight Crew replaced Kansas Department of Corrections (KDOC) Prisoner Crew
- Revenue and Expenses Overview-Projected End of Year Balance:
  - Negative \$673,401 for 2025 Adopted Budget. Negative \$3,913,338 for 2026 Preliminary Budget
- Allocation of Expenses: Personnel 55%, Contractual 26%, Commodities 19%
- Options to Increase Revenue in 2026: Subsidize from General Fund, Sales Tax Initiative
- Options to Remove Expenditures in 2026: Transfer expenses to Citywide Half-Cent Fund, Transfer expenses to General Fund, Reduce Services

Committee member Miller asked about the option of reduction of services. Public Works Director Groen spoke to the staffing and vacancies and how it would impact the results of projects and response time.

Committee member Hoferer questioned duties of the City of Topeka Blight Crew. Deputy Director Tony Trower confirmed that trash only in camping areas is removed plus working with the City of Topeka Forestry Department to care for roundabouts, weeding, mowing. He confirmed that there are no additional costs being taken out of the Special Street Fund for a homeless camp abatement.

Committee member Hoferer asked about results of year-over-year on potholes in the City. Deputy Director Trower stated he believes they are better this year due to the engineering projects being completed. Public Works Director Groen confirmed that updated pothole numbers will be given to the Governing Body on April 8, 2025.

Committee member Hoferer inquired about the Kansas Legislative State fees for Electric and Hybrid vehicles. Committee chair Duncan responded lobbyists are advocating that the fees will go back in the State Highway Fund.

Committee chair Duncan spoke to the Full-Time Equivalent (FTE) employees' numbers and if their working time on projects are tracked. He spoke to the importance of reviewing continual work orders versus a possible reconstructed road. Division Director of Budget and Finance McAnarney confirmed 59 FTE is what is budgeted for 2025 Special Street Fund. Deputy Director Trower confirmed there is 38 FTE with ideally being at 41 FTE for the Street Crew. Public Works Director Groen confirmed projects are all tracked by work orders.

Committee member Miller questioned the Pavement Condition Index (PCI) in the City roads. Public Works Director Groen confirmed a summary will be provided at the Governing Body on April 8, 2025.

Committee chair Duncan asked if any of the projects in the Capital Improvement Projects (CIP) are a part of the Special Street Fund. Division Director of Budget and Finance McAnarney confirmed that the Special Street Fund is strictly for general maintenance.

Committee chair Duncan spoke to the potential opportunity to contract maintenance items and if there are any cost benefits. Public Works Director Groen responded that his experience has shown that there is slower response time to work orders and cost is higher.

Committee member Hoferer asked Division Director of Budget and Finance McAnarney if the Citywide Half-Cent Fund is on target for the 2025 year. He confirmed that the summary will be provided at the Governing Body on April 8, 2025.

#### **4) Action Items:**

##### **a.) Fee Schedule**

Budget Manager Karisa Mueller spoke to the review of existing department fees.

The review was designed to reflect market rates, account for inflation, and insure

that the City is in line with other agencies. She continued to speak to some examples with highlighting how the fee increase would impact revenues.

Division Director of Budget and Finance McAnarney confirmed that the Governing Body would need to approve the final fee schedule.

Committee chair Duncan thanked the staff for their work on the proposed fee schedule, he appreciated the details for reasons for the changes. He spoke to the Ordinances that involve Property Maintenance Unit (PMU) fees to determine if they are in line.

Topeka Police Department Business Services Manager Gretchen O'Donovan stated that all Property Maintenance Ordinances were reviewed in 2022 and were amended to charge what the costs are.

Committee member Hoferer questioned abatements and demolitions and if the City of Topeka is getting reimbursed. She spoke to the many expenditures at 605 Fairlawn has had and added the importance of ensuring repayment. Director of Planning and Development Rhiannon Friedman stated that expenditures fees are tracked and monitored through the City of Topeka Prosecution Department.

Committee chair Duncan spoke to the Fee Schedule and items that are not currently being collected due to an Ordinance that has been repealed. Division Director of Budget and Finance McAnarney stated that the final Fee Schedule and those items will be removed.

Committee member Miller does not support any increase changes to delinquent fees. He questioned if there is a way to give the citizens of Topeka an incentive to maintaining their utility services. Director of Budget and Finance McAnarney confirmed that all fees are being reviewed.

Committee chair Duncan stated that the Assistance Fund has been increased and is there to help with delinquent fees. He also added the importance to review the policies for disconnect and reconnect fees.

MOTION: Committee member Miller made a motion to approve and move forward to the Governing Body for action. Committee chair Duncan seconded. Motion approved 3-0-0.

#### **b.) Ambulance Service Ordinance**

Senior City Attorney Brandy Roy-Bachman spoke to a recent ambulance service that was within the Topeka City limits and had not applied for a franchise agreement. This prompted the need for ambulance service modifications and updating the definitions. The last updates to the Ordinance was done in 1995. She spoke to the key changes in the proposed Ordinance. (1) Updated Definitions (2) Types of Services provided (3) Minimum Insurance Requirements.

Committee chair Duncan questioned if there are any ambulances that have continued to serve the City of Topeka without a franchise agreement. He asked if the proposed Ordinance will help move to get any franchise agreements finalized. He expressed his support for having set deadlines to ensure all ambulances are complying.

Senior City Attorney Brandy Roy-Bachman responded that currently there are two ambulance services that do not have a franchise agreement. There is one owner that has requested an application and has been given a 60-day deadline to complete. The second owner was sent a notice in the mail but it was returned to the Legal Department due to failure of address. She stated that with the new Ordinance it will clarify any questions to get the franchise agreements completed.

Committee member Miller thanked Senior City Attorney Brandy Roy-Bachman for providing the time frame of the application deadline.

Committee member Hoferer asked for an explanation of an ambulance service vs American Medical Response (AMR).

Topeka Fire Department Chief Randy Phillips provided information that AMR is the primary ambulance service for the City of Topeka and Shawnee County. He added there are two additional ambulance services currently operating that don't run 911 calls. They do the interfacility transports such as the Veterans Affairs (VA) but no 911 calls. He added that ambulance services have trained Emergency Medical Service (EMS) staff on them while there are also companies that provide those type of transportation services, like taking people to doctor's appointments, that don't have trained EMS staff operating them and they are not ambulance services.

Committee chair Duncan spoke to the State of Kansas requirements about having certifications that distinguish the ambulance services from a non-ambulance service.

Committee member Hoferer inquired about ambulances that transport within the City of Topeka that are coming from outside Shawnee County.

Senior City Attorney Brandy Roy-Bachman confirmed that the Ordinance would apply to services that regularly offer transports for residents within Topeka.

Committee member Hoferer noted that the proposed Ordinance, Section 4 has a clerical error.

Senior City Attorney Brandy Roy-Bachman confirmed it would be corrected.

Committee member Miller questioned if the current ambulance service holders with a franchise agreement have the proposed Ordinance insurance limits.

Senior City Attorney Brandy Roy-Bachman confirmed AMR currently has higher insurance limits than the proposed Ordinance.

MOTION: Committee chair Duncan made a motion to approve, with the correction to Section 4, and move forward to the Governing Body for action. Committee chair Hoferer seconded. Motion approved 3-0-0.

### **c.) Downtown Parking Ordinance & Resolution**

Parking Manager Sterling Emerson spoke to the Downtown Parking and the proposed Resolution and Ordinance.

- Current Issues: (1) Current zones are confusing and inconsistent (2) Current policies encourage leapfrogging (3) On street reserved spaces are not permitted for food trucks or similar vendors (4) Revenue at current rate structure doesn't meet annual expenses
- Downtown stakeholders' takeaways: Supports leapfrogging, food truck proposal, 15-minute loading/unloading in lieu of cones, increasing 10-hour meters, weary of parking garage increases, and opposed to charging street parking in the 100 blocks and Kansas Avenue.
- Recommendations:
  1. Increase Garage monthly rate from \$67.75 to \$74.00
    - Effective at earliest convenience in Centre City, Crosby Place and Townsite Garage
    - Effective at Uptowner upon re-opening to the public
    - Effective at 512 and Park N Shop upon completion of structural repairs, estimated fall 2025.
    - Effective at Coronado Garage upon completion of structural repairs, no later than 2026.
    - 9th Street Garage would increase from \$47.43 to \$51.00 upon increase at Coronado (This is obligated by contract with BNSF)
  2. Increase 10-hour meter price from \$0.50/hour to \$1.00/hour
  3. Increase 10-hour monthly permit price from \$44.00 to \$74.00
  4. Add code language from KS Avenue block zone to all timed zones (eliminating leapfrogging)
  5. Add language allowing reserved spaces to include downtown businesses seeking for profit sales
  6. Introduce designated and signed 15-minute pick up spaces on KS Avenue (replaces orange cones)
  7. Relax restrictions north of sixth street, remove metered spaces West of Topeka Boulevard.
  8. Remove yellow hoods on 100 blocks East and West of KS Avenue, charge \$1.00 per hour, institute paid parking on KS Avenue of \$1.25/hour effective January 1st 2026.

Committee member Marcus Miller supports the details from the presentation and the fees proposed.

Committee chair Duncan questioned why there is a need for 10-hour meter pricing. He added his support for encouraging 10-hour monthly permit holders and parking

garage use. He requested to know what the operating numbers would be for street parking versus garage parking.

Deputy Director Public Works Jason Tryon responded that the 10-hour metered parking timeframe is for more than 2 hours to give a more of a long-term parking option; potentially for downtown employees or the Kansas State Capitol. He added there are approximately 60 10-hour monthly permit holders and said that meters can be programmed for a different time period. Lastly, he stated that revenues are at 80% parking garage and 20% street parking.

Parking Manager Sterling Emerson spoke to the cost for maintaining street and parking garages like striping lines, clearing trash, maintain meters. Currently, there are 3 fulltime facility employees.

Committee member Hoferer inquired about the parking at City Hall. She also asked about the front row being metered and the east side of City Hall. Deputy Director Public Works Jason Tryon responded by Fall 2025 things should be returned to pre-construction. He stated that the front row parking and east side parking is a policy decision that will be made by City Manager Dr. Robert M. Perez.

Deputy Director Public Works Jason Tryon responded to the question if there are delays with going to the Governing Body it can potentially affect the revenue structure.

Committee chair Duncan supports advancing the presentation and proposal to the Governing Body for discussion.

Committee member Miller stated he feels the approval should first come from the Policy and Finance Committee.

Committee member Hoferer supports proceeding to the Governing Body for discussion.

MOTION: Committee chair Duncan made a motion to proceed to the Governing Body with no recommendation. Committee member Hoferer seconded. Motion approved 2-1-0. Committee member Marcus Miller voted "no"

## **5.) Discussion:**

### **a.) External Payments in Lieu of Taxes (PILOTS)**

Budget Manager Karisa Mueller spoke to Payments in Lieu of Taxes (PILOTS); they are payments made to the City of Topeka by various organizations or agencies based on agreements. The agreements have granted tax abatements and PILOTS are a portion of the taxes that may be due to the City; therefore, not paying taxes on their buildings. She added that currently there are no external

organizations or commercial buildings that are voluntarily paying anything to the City of Topeka in a form of a PILOT fee.

Committee Chair Spencer Duncan stated that by the State of Kansas cities cannot require a PILOT fee; but the fees could be paid voluntarily. He continued to speak about properties requiring fire, police, city infrastructure and that there is no payment of property tax from those entities. He suggested that by the voluntarily recommendation it could be based on building square footage. He stated with possible payments from commercial properties could generate revenue for the General Fund.

Committee member Marcus Miller supports receiving PILOT funds but added his concerns with the State law not supporting.

Committee member Hoferer spoke to the PILOT fee building square footage matrix and added that it would help the public to receive payments voluntarily from commercial properties.

## **6.) Other Items**

Committee chair Duncan adjourned the meeting at 2:26 pm

The video of this meeting can be viewed at; <https://youtu.be/soR9FJtxpac>





**City of Topeka  
Policy &  
Finance  
Committee**

620 SE Madison St.  
Topeka, Kansas 66603  
[www.topeka.org](http://www.topeka.org)

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**DATE:** May 14, 2025

**CONTACT PERSON:** Rhiannon Friedman, Planning & Development Director

**SUBJECT:** Citywide Housing Investment 2022-2025

**PROJECT #:**

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**DOCUMENT DESCRIPTION:**

Summary report on Housing Investment in Topeka 2022-2025.

**ATTACHMENTS:**

Presentation



CITY OF  
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# **Summary Report on Housing Investment In Topeka 2022 - 2025**

# Table of Contents

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3 | 2020 Citywide Housing Study

4 | Program Glossary

5-13 | By-District Summary of Housing Investment

14 | City Summary of Housing Investment



## Defining the Need

- Market-Rate Multifamily
- Missing Middle Infill
- New Single Family
- Affordable Housing
- Rehab & Renovation

## Demand by Type

- 4,000 units of affordable housing
- 3,650 units of workforce-affordable housing
- 4,500 units of market-rate
- 2,250 units of senior housing



# Programs Glossary

4

## Income Based

- Accessibility
- Property Maintenance Rehab **(PMR)**
- Emergency Repair
- Weatherization
- Topeka Opportunity to Own **(TOTO)**
- Community Housing Development Organizations **(CHDO)**

## Location Based

- SORT/DREAMS
- Neighborhood Revitalization Program **(NRP)**

## Other

- New Build Permits
- Reinvestment Housing Incentive District **(RHID)**
- Low-Income Housing Tax Credits **(LIHTC)**





## Housing Services

- Accessibility – 6 homes
- Community Housing Development Organization (CHDO) - 2 homes
- Emergency Repairs – 23 homes
- Property Maintenance Rehab – 9 homes
- SORT/DREAMS - 3 homes
- Topeka Opportunity to Own (TOTO) - 5 homes
- Weatherization- 11 homes

## Cornerstone of Topeka

## Planning and Development Services

- New Builds – 6 permits
- RHID & LIHTC – 190 units
- NRP - 4 properties



## Union at Tower District



## Housing Services

- Accessibility – 13 homes
- Emergency Repairs – 27 homes
- Property Maintenance Rehab – 6 homes
- Topeka Opportunity to Own (TOTO) - 2 homes
- Weatherization- 15 homes

## Riverstone Subdivision RHID

### Planning and Development Services

- New Builds – 43 permits
- RHID – 15 units
- NRP - 2 properties







**Cornerstone of Topeka**

## Housing Services

- Accessibility – 17 homes
- Community Housing Development Organization (CHDO) – 10 homes
- Emergency Repairs – 40 homes
- Property Maintenance Rehab – 7 homes
- SORT/DREAMS- 1 home
- Topeka Opportunity to Own (TOTO) – 1 home
- Weatherization – 30 homes

## Planning and Development Services

- New Builds – 58 permits
- RHID & LIHTC – 60 units
- RHID – 42 units
- NRP – 5 properties



**Eastgate Subdivision RHID**





**TOTO House – Colorado Ave**

## Planning and Development Services

- New Builds – 42 permits
- NRP – 1 property

## Housing Services

- Accessibility – 14 homes
- Emergency Repairs - 21 homes
- Property Maintenance Rehab – 1 home
- SORT/DREAMS - 6 homes
- Topeka Opportunity to Own (TOTO) – 3 homes
- Weatherization – 14 homes





## Housing Services

- Accessibility – 7 homes
- Community Housing Development Organization (CHDO) – 4 homes
- Emergency Repairs – 25 homes
- Property Maintenance Rehab – 4 homes
- SORT/DREAMS - 4 homes
- Topeka Opportunity to Own (TOTO) - 1 home
- Weatherization 8 homes

## CHDO – SENT Net Zero Homes

### Planning and Development Services

- New Builds - 69 permits
- LIHTC - 24 units





## Housing Services

- Accessibility – 3 homes
- Emergency Repairs – 18 homes
- SORT/DREAMS - 7 homes
- Topeka Opportunity to Own (TOTO) – 1 home
- Weatherization – 5 homes

## TOTO Program

## Planning and Development Services

- New Builds – 9 permits







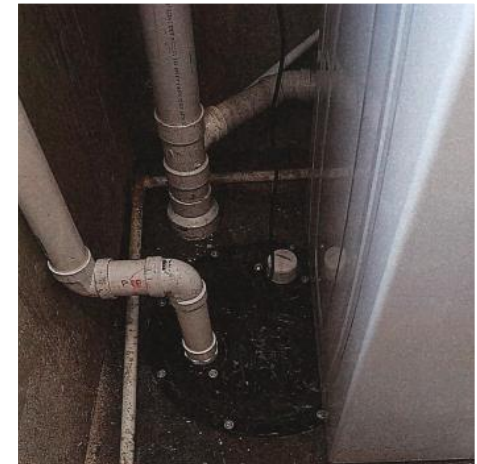
## Housing Services

- Accessibility – 2 homes
- Emergency Repairs – 4 homes

## Emergency Repair – Sewer and Waterlines

### Planning and Development Services

- New Builds – 20 permits





## Emergency Repair – Furnace Replacement

### Planning and Development Services

- New Builds – 23 permits
- RHID – 20 units

## Housing Services

- Accessibility – 1 home
- Emergency Repairs – 5 homes
- Weatherization – 4 homes



Sherwood Prof Park RHID



## Housing Services

- Accessibility - 3 homes
- Emergency Repairs – 6 homes
- Property Maintenance Repair – 1 home
- Topeka Opportunity to Own (TOTO) - 1 home
- Weatherization – 2 homes

## Weatherization – Door and Window Repairs

### Planning and Development Services

- New Builds – 18 permits



# Citywide Summary: January 2022-May 2025

14

## Housing Services

- **Accessibility** – 66 homes
- **Community Housing Development Organization (CHDO)** – 16 homes
- **Emergency Repairs** – 169 homes
- **Property Maintenance Rehab** – 28 homes
- **SORT/DREAMS**- 21 homes
- **Topeka Opportunity to Own (TOTO)** – 14 homes
- **Weatherization** – 89 homes

## Planning and Development Services

- **New Build Permits** - 288 permits
- **RHID & LIHTC** – 250 units
- **RHID** – 77 units
- **LIHTC** – 24 units







# Visual Summary – Housing Service Programs

## Legend

### Accessibility Upgrades

-  Serviced Once
-  Serviced Twice



### Capitol Housing Projects



### CHODO Locations



### Emergency Repairs

-  Serviced Once
-  Serviced Twice



### PRM Locations



### SORT-DREAMS Locations

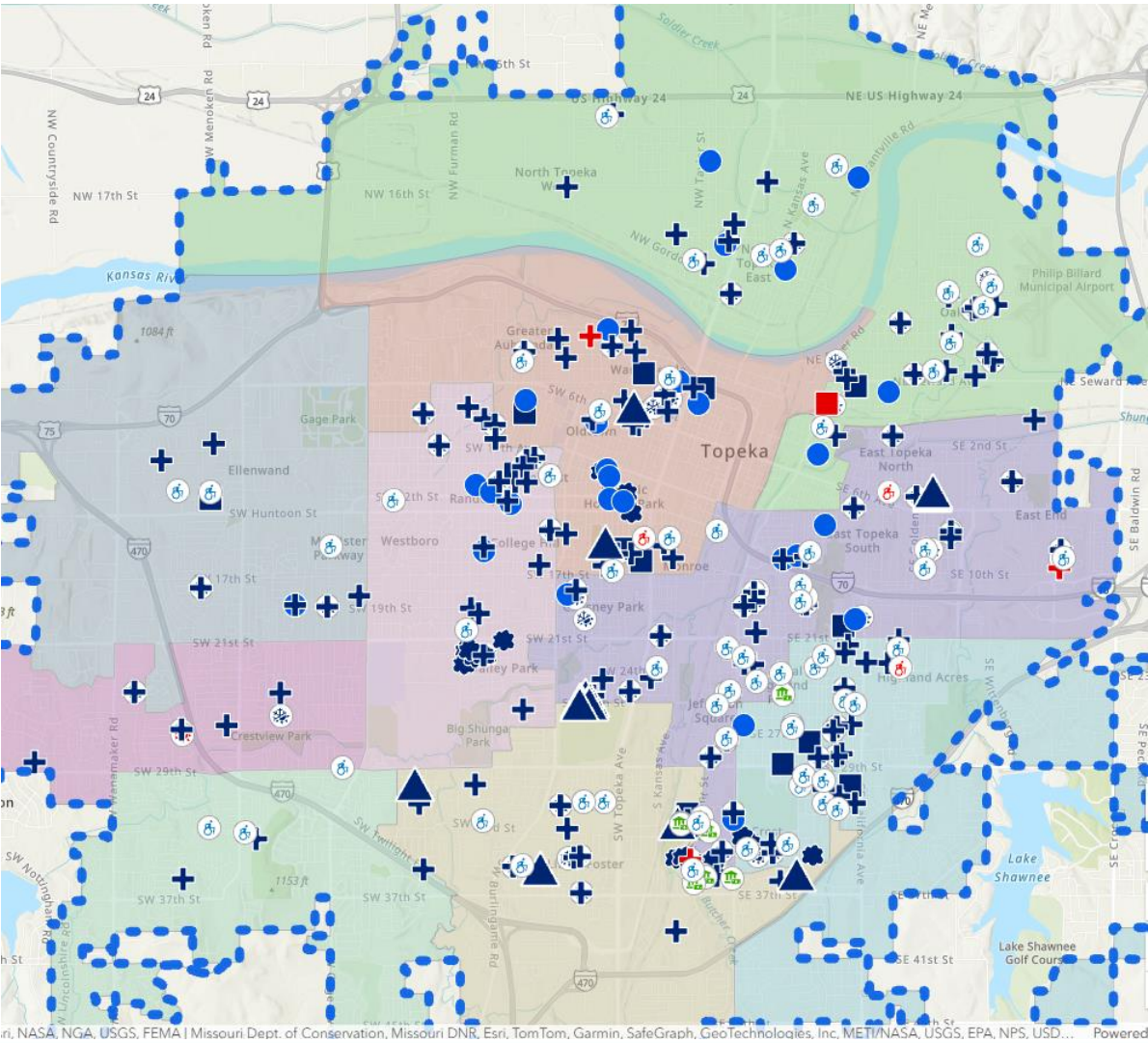


### TOTO Locations

-  Serviced Once
-  Serviced Twice


### Weatherization


-  Serviced Once
-  Serviced Twice







# Visual Summary – Planning & Development


 City Council Districts


 Topeka City Limits

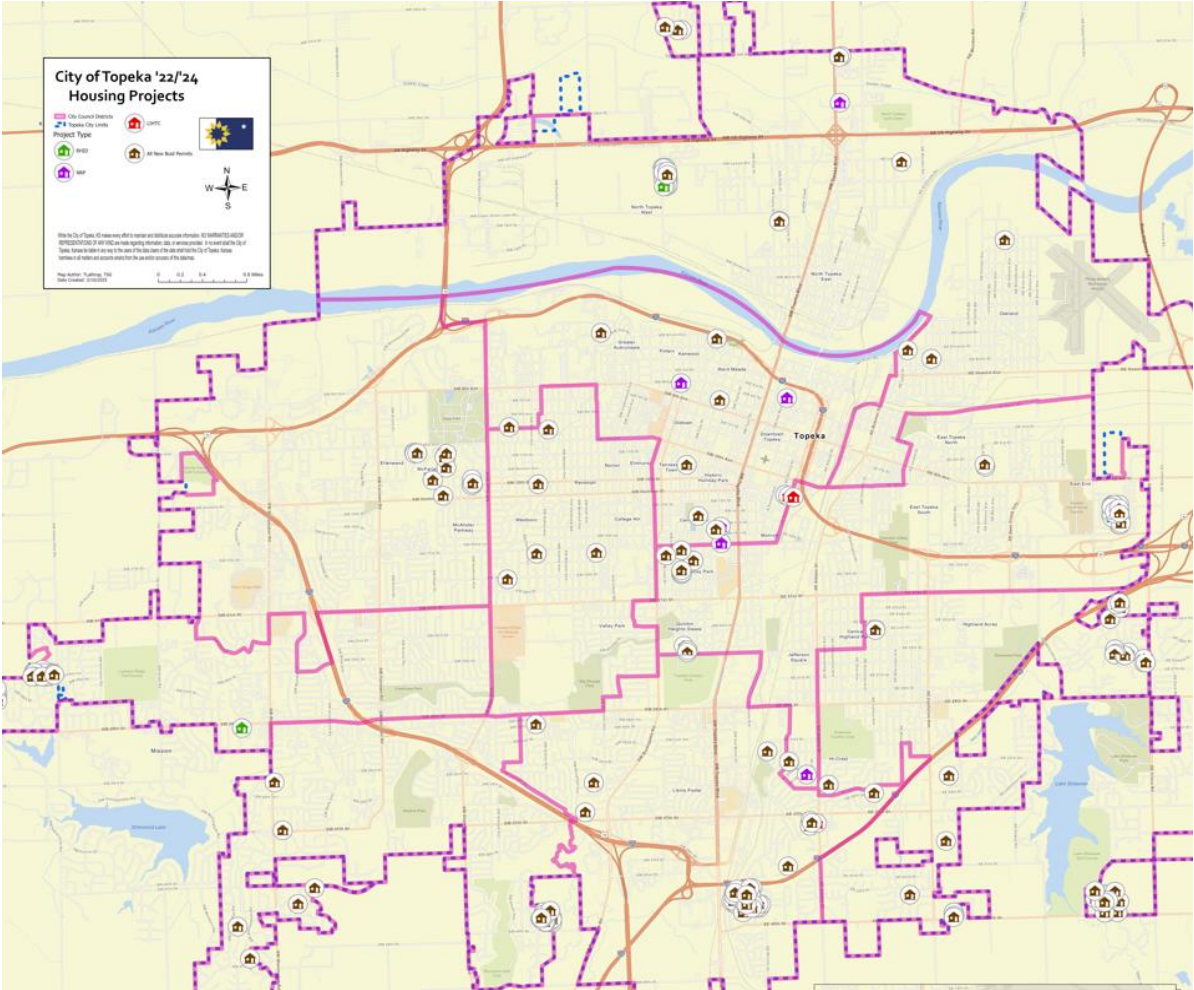
Project Type

 RHID

 NRP

 LIHTC

 All New Buid Permits





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**DATE:** May 14, 2025

**CONTACT PERSON:** Richard Faulkner, Division Director Development Services

**SUBJECT:** 2024 Uniform Plumbing Code

**PROJECT #:**

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**DOCUMENT DESCRIPTION:**

The Board of Plumbing Appeals has reviewed the 2024 Uniform Plumbing Code and is recommending that the City of Topeka adopt the code.

**ATTACHMENTS:**

Memo  
Presentation  
Ordinance



# CITY OF TOPEKA

Richard Faulkner  
Division Director of Development Services  
Holliday Building, 620 SE Madison St., Topeka, KS 66607

[rfaulkner@topeka.org](mailto:rfaulkner@topeka.org)  
Tel: 785-368-1606  
[www.topeka.org](http://www.topeka.org)

Date: May, 27, 2025

To: Policy and Finance Committee  
Spencer Duncan,  
Marcus Miller,  
Michelle Hoferer

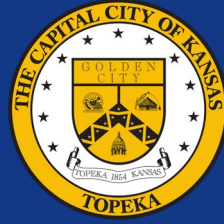
From: Richard Faulkner, Division Director, Development Services

Subject: 2024 Uniform Plumbing Code

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The Board of Plumbing Appeals has reviewed the 2024 Uniform Plumbing Code and is recommending that the City of Topeka adopt the code. This code is the most current code and addresses changes in the industry and will improve safety in our community and improve the quality of life for our citizens. The recommendation includes that we adopted with amendments, which we typically do. I am pointing this out because our amendments have been cut by 50% because the amendments we would make have been incorporated into the code. I think this reflects positively on the plumbing board and their commitment to their trade.

Staff agrees with the recommendation the board is making to adopt the 2024 Uniform Plumbing Code.



CITY OF  
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# 2024 Uniform Plumbing Code (UPC) Proposed Adoption

Published by the International Association of Plumbing  
and Mechanical Officials

# Codes Presently Adopted by COT

2

## RESIDENTIAL

- 2021 INTERNATIONAL RESIDENTIAL CODE (CH 1-10, APP F)
- 2009 INTERNATIONAL ENERGY CONSERVATION CODE

## COMMERCIAL

- 2021 INTERNATIONAL EXISTING BUILDING CODE (IEBC)
- 2021 INTERNATIONAL ENERGY CONSERVATION CODE (IECC)
- 2021 INTERNATIONAL BUILDING CODE (IBC)
- 2021 INTERNATIONAL FIRE CODE (IFC)
- 2015 LIFE SAFETY CODE (LSC)
- 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN

## RESIDENTIAL / COMMERCIAL

- 2018 UNIFORM PLUMBING CODE
- 2023 NATIONAL ELECTRICAL CODE
- 2015 UNIFORM MECHANICAL CODE



## City of Topeka recognizes the need to update building and trade codes

- Provides for safer and latest building standards
- National codes are updated every 3 years
- Best practice is to update every 6-9 years

## Uniform Plumbing Code (UPC)

- Published by the International Association of Plumbing and Mechanical Officials (IAPMO)
- UPC provides consumers with safe and sanitary plumbing system, while at the same time allowing latitude for innovation and new technologies.
- Contributors include plumbing inspectors, master and journeyman plumbers, and plumbing engineers, backed by public utility companies and the plumbing industry.



# Neighboring Cities

	2012	2015	2018	2021
Manhattan				X
Lawrence			X	
Overland Park			X	
Shawnee			X	
Leavenworth			X	
Olathe			X	
Junction City	X			

These communities are using the International Code and we are using the Uniform Code. The International Code tends to refer you to an additional code books for a complete implementation of the regulation.



# Review Process

The Board Plumbing Appeals ( appointed by the council) led the review process. The members of the board are as follows.

- Jeff Romine, Professional Engineer
  - Charles Campbell, Master Plumber
  - Doug Snook, Master Plumber
  - Kris Carlson, Master Plumber
  - Paul Miller, Master Plumber
- 
- The plumbing inspectors served as liaison to the board as they conducted the review.
  - The adoption process was started in February of 2025.
  - Staff also reached out to stakeholders to get their input, this included all licensed plumbing contractors and the Topeka Area Building Association.





# Conclusion

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- The Plumbing Board recommends that the 2024 UPC be adopted with amendments.
- Staff supports the boards recommendation



(Published in the Topeka Metro News \_\_\_\_\_)

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE introduced by City Manager Dr. Robert M. Perez, adopting the 2024 Uniform Plumbing Code to replace the 2018 edition, amending and repealing sections of Chapter 14.35 of the Topeka Municipal Code.

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

Section 1. That section 14.35.010, Uniform Plumbing Code – Adopted, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Uniform Plumbing Code – Adopted.**

(a)—The ~~2018~~2024 Uniform Plumbing Code, including all appendices, is hereby adopted by reference and made part of the code for the city. The ~~2018~~2024 Uniform Plumbing Code Illustrated Training Manual and the ~~2018~~2024 Uniform Plumbing Code Answers and Analysis Manual as published by the International Association of Plumbing and Mechanical Officials may be considered and applied by the authority having jurisdiction to the extent necessary in the authority's sole discretion to implement and enforce this code.

(b) The following appendices are hereby adopted:

Appendix A – Recommended Rules for Sizing the Water Supply System.

Appendix B – Explanatory Notes on Combination Waste and Vent Systems.

Appendix C – Alternate Plumbing Systems.

Appendix D – Sizing Stormwater Drainage Systems.

Appendix E – Manufactured/Mobile Home Parks and Recreational Vehicle Parks.

Appendix G – Sizing of Venting Systems.

Appendix H – Private Sewage Disposal Systems.

Appendix I – Installation Standard for PEX Tubing Systems for Hot- and Cold-

29 Water Distribution and the Installation Standards for Trenchless  
30 Insertion of Polyethylene (PE) Pipe for Sewer Laterals ~~(set forth in~~  
31 ~~TMC 14.35.450).~~

32 Appendix J – Combination of Indoor and Outdoor Combustion and Ventilation  
33 Opening Design.

34 Appendix K – Potable Rainwater Catchment Systems.

35 Appendix L – Sustainable Practices.

36 Appendix M – Peak Water Demand Calculator.

37 Appendix N – Impact of Water Temperature on the potential for scalding and  
38 Legionella Growth.

39 Appendix O – Non-Sewered Sanitation Systems.

40 Appendix P – Professional Qualifications.

41 Appendix Q - Indoor Horticultural Facilities.

42 Appendix R – Tiny Houses.

43 Appendix S – Onsite Stormwater Treatment Systems.

44 Section 2. That section 14.35.050, 102.7 Moved Buildings, of The Code of the  
45 City of Topeka, Kansas, is hereby amended to read as follows:

46 **102.7, Moved ~~Buildings~~Structures.**

47 Section 102.7, Moved ~~Buildings~~Structures, is hereby deleted in its entirety and the  
48 following provisions shall be substituted therefor:

49 Plumbing systems that are part of buildings or structures moved into this  
50 jurisdiction shall comply with the provisions of Chapter 8.60 TMC and ~~Section 105.2 of~~  
51 ~~the 2018~~the currently adopted Uniform Plumbing Code.

52 Section 3. That section 14.35.070, 104.2 Exempt Work, of The Code of the City

of Topeka, Kansas, is hereby repealed.

**~~104.2, Exempt Work.~~**

~~104.2, Exempt Work, is hereby deleted in its entirety and the following provisions shall be substituted therefor:~~

~~A permit shall not be required for the following:~~

~~(1) The stopping of leaks, in drains, soil, waste, or vent pipe, provided that a trap, drainpipe, soil, wastes, or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and permit shall be procured and inspection made as provided in this code. Replacement of fixture fittings and/or faucets, tubular traps, continuous wastes and tailpieces shall not require a permit.~~

~~(2) The clearing of stoppages, including the removal and reinstallation of water closets, or the repairing of leaks in pipes, valves, or fixtures, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.~~

~~Exemption from the permit requirements of this code shall not be deemed to grant authorization for work to be done in violation of the provisions of the code or other laws or ordinances of this jurisdiction.~~

Section 4. That section 14.35.080, 104.5, Fees, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.070.

Section 5. That section 14.35.090, 107.0, Board of Appeals, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.080.

Section 6. That section 14.35.100, Definitions, of The Code of the City of Topeka, Kansas, is hereby repealed.

**~~Definitions.~~**

Chapter 2, Definitions, 204.0, Bathroom Group, is hereby deleted in its entirety and the following definition shall be substituted therefor:

~~Bathroom Group. Any combination of fixtures, not to exceed one water closet, two lavatories, either one bathtub, or one combination bath/shower, and/or one shower, and may include a bidet and an emergency floor drain.~~

Section 7. That section 14.35.110, 315.12.3, Tub Waste Openings, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.090.

Section 8. That section 14.35.120, 314.4, Excavations, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.100.

Section 9. That section 14.35.130, 314.4.1, Installation of Thermoplastic Pipe and Fittings, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.110.

Section 11. That section 14.35.140, 407.4, Transient Public Lavatories, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.120.

Section 12. That section 14.35.150, 402.10, Slip Joint Connections, of The Code of the City of Topeka, Kansas, is hereby repealed.

**~~402.10, Slip Joint Connections.~~**

~~402.10, Slip Joint Connections, is hereby deleted in its entirety and the following provisions shall be substituted therefor:~~

~~Fixtures having concealed slip joint connections shall be provided with a framed area no less than 12" x 18" to be used for access. This area may be covered with wallboard, paneling or other interior wall finishes.~~

Section 13. That section 14.35.160, 414.3, Drainage Connections, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.130.

Section 14. That section 14.35.170, 418.3 Location of Floor Drains, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.140 and amended to read as follows:

**418.3, Location of Floor Drains.**

418.3, Location of Floor Drains, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

Floor drains shall be installed in the following areas:

(1) Toilet rooms containing two or more water closets or a combination of one water closet and one urinal, except in a dwelling unit.

(2) Commercial kitchens and in accordance with Section 704.3.

(3) Laundry rooms in commercial buildings and common laundry facilities in multi-family dwelling buildings.

(4) Repair garages and/or ~~gasoline~~service stations where oil or flammable waste may exist. Floor drains shall drain to an approved oil or flammable liquid interceptor installed in accordance with Section 1017.0.

(5) Boiler rooms.

Section 15. That section 14.35.180, 418.6 Special Provisions, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.150.

Section 16. That section 14.35.190, 422.1 Fixture Count, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.160 and amended to read as follows:

**422.4, Minimum Number of Required Fixtures Count.**

422.4, Minimum Number of Required Fixtures Count, is hereby deleted in its entirety ~~and the following provisions shall be substituted therefor:~~

~~Plumbing fixtures shall be provided for the type of building occupancy and in the~~

minimum number shown in Table 2902.1 of the International Building Code, 2015 Edition.

Section 17. That section 14.35.200, Table 422.1 Minimum Plumbing Facilities, of The Code of the City of Topeka, Kansas, is hereby repealed.

**~~Table 422.1, Minimum Plumbing Facilities.~~**

~~Table 422.1, Minimum Plumbing Facilities, is hereby deleted in its entirety.~~

Section 18. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 14.50.170, which said section reads as follows:

**507.2, Seismic Provisions.**

507.2, Seismic Provisions, is hereby deleted in its entirety.

Section 19. That section 14.35.210, 603.5.6, Protection from Lawn Sprinklers and Irrigation Systems, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.180 and amended to read as follows:

**603.5.6, Protection from Lawn Sprinklers and Irrigation Systems.**

603.5.6, Protection from Lawn Sprinklers and Irrigation Systems, is hereby deleted in its entirety and the following provisions shall be substituted therefor:

Potable water supplies to systems having no pumps or connections for pumping equipment, and no chemical injection or provisions for chemical injection, shall be protected from backflow by one of the following devices:

- (1) Atmospheric vacuum breaker (AVB);
- (2) Pressure vacuum breaker backflow prevention assembly (PVB);
- (3) Spill-resistant pressure vacuum breaker (SVB);
- (4) Reduced pressure principle backflow prevention assembly (RP); or
- (5) Valve complying with IAPO OS 72; or
- ~~(5)~~ Approved double-check valve backflow prevention assembly (DC).

149           Section 20. That section 14.35.220, 603.5.17, Potable Water Outlets and Valves,  
150 of The Code of the City of Topeka, Kansas, is hereby repealed.

151           **~~603.5.17, Potable Water Outlets and Valves.~~**

152           ~~603.5.17, Potable Water Outlets and Valves, is hereby deleted in its entirety and~~  
153 ~~the following provisions shall be substituted therefor:~~

154           ~~Potable water outlets, freeze-proof yard hydrants, combination stop and waste~~  
155 ~~valves, or other fixtures that incorporate a stop and waste feature that drains into the~~  
156 ~~ground shall not be installed underground. Freezeless yard hydrants, meeting the~~  
157 ~~requirements of ASSE 1057 (Freeze resistant Sanitary Yard Hydrants with Backflow~~  
158 ~~Protection) shall be approved for use within the City limits of Topeka. These devices are~~  
159 ~~to supply potable water without danger of damage to the hydrant due to freezing, to~~  
160 ~~provide protection of the potable water supply from contamination due to ground water,~~  
161 ~~and to prevent potential backflow by means of back siphonage with the installation of an~~  
162 ~~approved atmospheric vacuum breaker meeting the requirements of ASSE 1052~~  
163 ~~(Performance Requirements for Hose Connection Backflow Preventers).~~

164           Section 21. That section 14.35.230, 605.0, Joints and connections; 605.05,  
165 Generally, of The Code of the City of Topeka, Kansas, is hereby renumbered as  
166 14.35.190.

167           Section 22. That section 14.35.240, 606.2, Fullway Valve, of The Code of the  
168 City of Topeka, Kansas, is hereby renumbered as 14.35.200.

169           Section 23. That section 14.35.250, 606.5, Control Valve, of The Code of the City  
170 of Topeka, Kansas, is hereby renumbered as 14.35.210 and amended to read as follows.

171           **606.5, Control Valve.**

172           606.5, Control Valve, is hereby deleted in its entirety and the following provisions



shall be substituted therefor:

A control valve shall be installed immediately ahead of each water-supplied appliance and immediately ahead of each slip joint or appliance supply.

Parallel water distribution systems shall provide a control valve either immediately ahead of each fixture being supplied or installed at the manifold and shall be identified with the fixture being supplied. Where parallel water distribution system manifolds are located in attics, crawl spaces, or other locations not readily accessible, a separate shutoff valve shall be required immediately ahead of each individual fixture or appliance served.

Water softening/conditioning equipment, not factory equipped with integral bypass valves shall be required to have fullway type bypass valves of noncorrosive material installed.

Section 24. That section 14.35.260, 608.5, Discharge Piping, Subsection (7), of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.220.

Section 25. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 14.50.230, which said section reads as follows:

**609.1, Installation; Exception.**

609.1, Installation, is hereby amended by the addition of the following exception:

EXCEPTION: Building Supply yard piping minimum cover depth of 42".

Section 26. That section 14.35.270, 609.11.2, Pipe Installation Wall Thickness, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.240 and amended to read as follows.

**609.11.2, Pipe Installation Wall Thickness.**

609.11.2, Pipe Installation Wall Thickness, is hereby ~~deleted in its entirety and the following provisions shall be substituted therefor~~ amended by the addition of the

197 following exception:

198 ~~Hot water pipe insulation shall have a minimum wall thickness of not less than 1~~  
199 ~~inch (25 mm) for a pipe ½ inch (13 mm) up to 1 ¼ inch (32 mm) in diameter. Insulation~~  
200 ~~wall thickness shall not be less than 1 ½ inches (37 mm) for a pipe of 2 inches (51 mm)~~  
201 ~~or more in diameter, this can be reduced to 1 inch (25 mm) if piping is located within a~~  
202 ~~partition within a conditioned space.~~

203 (3) Piping insulation within an interior partition of a conditioned building can be  
204 reduced to a minimum wall thickness of one inch (1").

205 Section 27. That section 14.35.280, Table 610.3, of The Code of the City of  
206 Topeka, Kansas, is hereby renumbered as 14.35.250.

207 Section 28. That section 14.35.290, 610.8, Size of Meter and Building Supply  
208 Pipe, of The Code of the City of Topeka, Kansas, is hereby repealed.

209 **~~610.8, Size of Meter and Building Supply Pipe.~~**

210 ~~610.8, Size of Meter and Building Supply Pipe Using Table 610.4, is hereby~~  
211 ~~deleted in its entirety and the following provisions shall be substituted therefor:~~

212 ~~The size of the meter and the building supply pipe shall be determined as follows:~~

213 ~~(1) Determine the available pressure at the water meter or other source of supply.~~

214 ~~(2) Subtract one-half (1/2) pound per square inch pressure (3.4 kPa) for each foot~~  
215 ~~(305 mm) of difference in elevation between such source of supply and the highest water~~  
216 ~~supply outlet in the building or on the premises.~~

217 ~~(3) Use the "pressure range" group within which this pressure will fall using Table~~  
218 ~~610.4.~~

219 ~~(4) Select the "length" column that is equal to or longer than the required length.~~

220 ~~(5) Follow down the column to a fixture unit value equal to or greater than the total~~

number of fixture units required by the installation.

~~(6) Having located the proper fixture unit valve for the required length, sizes of meter and building supply pipe as found in the two left hand columns shall be applied. No building supply pipe shall be less than three quarter (3/4) inch (20 mm) in diameter; provided, however, in residential remodeling a maximum of twenty eight (28) fixture units shall be allowed to be connected to an existing three quarter (3/4) inch (20 mm) water service. Houses or apartments that are one thousand (1,000) square feet in area or larger shall have a minimum one (1) inch (25 mm) water meter and service line.~~

Section 29. That section 14.35.300, 705.6.2, Solvent Cement Joints, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.260.

Section 30. That section 14.35.310, 705.8.1.1, ETCO "T" Cone and Couple Adapters, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.270.

Section 31. That section 14.35.320, 707.4, Location, of The Code of the City of Topeka, Kansas, is hereby repealed.

**~~707.4, Location.~~**

~~707.4, Location, is hereby deleted in its entirety and the following provisions shall be substituted therefor:~~

~~Each horizontal drainage pipe shall be provided with a cleanout at its upper terminal, and each run of piping, that is more than one hundred (100) feet (30,480 mm) in total developed length, shall be provided with a cleanout for each one hundred (100) feet (30,480 mm), or fraction thereof, in length of such piping.~~

**~~Exceptions:~~**

~~(1) Cleanouts may be omitted on a horizontal drain line less than five (5) feet (1,524~~

mm) in length unless such line is serving sinks or urinals.

(2) Cleanouts may be omitted on any horizontal drainage pipe installed on a slope of seventy-two (72) degrees (1.26 rad) or less from the vertical angle (angle of one-fifth (1/5) bend).

(3) Excepting the building drain and its horizontal branches, a cleanout shall not be required on any pipe or piping that is above the floor level of the lowest floor of the building.

(4) An approved type of two-way cleanout fitting, installed inside the building wall near the connection between the building drain and the building sewer or installed outside of a building at the lower end of a building drain and extended to grade, may be substituted for an upper terminal cleanout.

(5) A cleanout shall be installed above the flood level rim of all urinals with integral traps.

Section 32. That section 14.35.330, 710.1, Backflow Protection, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.280.

Section 33. That section 14.35.340, 712.2 Water Test, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.290.

Section 34. That section 14.35.350, 723.1, Building Sewer Test, General, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.300.

Section 35. That section 14.35.360, 807.3, Domestic Dishwashing Machines, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.310.

Section 36. That section 14.35.370, 905.2, Horizontal Drainage Pipes, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.320.

Section 37. That section 14.35.380, 1001.1.1, Domestic Kitchen Sink Exception,

of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.330.

Section 38. That section 14.35.390, 1014.1.4, Exceptions, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.340.

Section 39. That section 14.35.400, 101.10, Filling Stations and Motor Vehicle Washing Establishments, of The Code of the City of Topeka, Kansas, is hereby renumbered as 14.35.350.

Section 40. That The Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 14.50.360, which said section reads as follows:

**1211.3, Arc-Resistant Jacketed CSST.**

1211.3, Arc-Resistant Jacketed CSST is hereby deleted in its entirety.

Section 41. That section 14.35.410, 1208.6.3.2, Copper and Copper Alloy Pipe, of The Code of the City of Topeka, Kansas, is hereby repealed.

**~~1208.6.3.2, Copper and Copper Alloy Pipe.~~**

~~1208.6.3.2, Copper and Copper Alloy Pipe, is hereby deleted in its entirety and the following provisions shall be substituted therefor:~~

~~Copper and brass pipe shall not be used if the gas contains more than an average of 0.3 grains of hydrogen sulfide per 100 scf of gas (0.7 mg/100 L). Copper or brass pipe shall only be allowed if the natural gas supplier shall warrant in writing that the hydrogen sulfide content of the gas shall at all times be below the aforementioned amount. Therefore copper and copper alloy pipe and fittings may not be used within the City limits of Topeka. All references in the 2018 Uniform Plumbing Code to copper pipe and tubing as a material acceptable for gas piping as well as the brazing and sizing requirements for copper are hereby repealed.~~

Section 42. That section 14.35.420, 1208.6.4.2, Copper and Copper Alloy

293       Tubing, of The Code of the City of Topeka, Kansas, is hereby repealed.

294               **~~1208.6.4.2, Copper and Copper Alloy Tubing.~~**

295               ~~1208.6.4.2, Copper and Copper Alloy Tubing, is hereby deleted in its entirety and~~  
296 ~~the following provisions shall be substituted therefor:~~

297               ~~Copper and brass tubing shall not be used if the gas contains more than an~~  
298 ~~average of 0.3 grains of hydrogen sulfide per 100 scf of gas (0.7 mg/100 L). Copper or~~  
299 ~~brass tubing shall only be allowed if the natural gas supplier shall warrant in writing that~~  
300 ~~the hydrogen sulfide content of the gas shall at all times be below the aforementioned~~  
301 ~~amount. Therefore copper and copper alloy tubing and fittings may not be used within the~~  
302 ~~city limits of Topeka. All references in the 2018 Uniform Plumbing Code to copper pipe~~  
303 ~~and tubing as a material acceptable for gas piping as well as the brazing and sizing~~  
304 ~~requirements for copper are hereby repealed.~~

305               Section 43.   That section 14.35.430, 1208.6.11.1, Pipe Joints, of The Code of the  
306 City of Topeka, Kansas, is hereby repealed.

307               **~~1208.6.11.1, Pipe Joints.~~**

308               ~~1208.6.11.1, Pipe Joints, is hereby deleted in its entirety and the following~~  
309 ~~provisions shall be substituted therefor:~~

310               ~~Pipe joints shall be threaded, flanged, brazed, welded, or press-connect fittings~~  
311 ~~that comply with CSA LC-4. Where nonferrous pipe is brazed, the brazing materials shall~~  
312 ~~have a melting point in excess of 1,000° F (538° C). Brazing alloys shall not contain more~~  
313 ~~than 0.05 percent phosphorus. (NFPA 54:5.6.8.1) Welded joints on ferrous piping shall~~  
314 ~~be performed by individuals licensed as journeymen in the plumbing or mechanical trade~~  
315 ~~with a current certification of welding competency from a state recognized testing agency.~~  
316 ~~The testing requirements for the welder's competency shall be based on the requirements~~

~~of the ASME Boiler and Pressure Vessel Code, Section IX.~~

Section 44. That section 14.35.440, 1208.6.12.2, Heat-Fusion Joint, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**1208.6.12.2, Heat-Fusion Joint.**~~

~~1208.6.12.2, Heat-Fusion Joint, and Fittings is hereby deleted in its entirety and the following provisions shall be substituted therefor:~~

~~Heat fusion joints shall be made in accordance with qualified procedures that have been established and proven by test to produce gastight joints at least as strong as the pipe or tubing being joined. Joints shall be made with the joining method recommended by the pipe manufacturer. Heat fusion fittings shall be marked "ASTM D 2513." All joints in approved heat fusion welded plastic gas piping shall be performed by individuals who are licensed as journeyman in the plumbing or mechanical trade and certified to do heat fusion welding by the manufacturer of the piping being installed.~~

Section 45. That section 14.35.450, Appendix I, of The Code of the City of Topeka, Kansas, is hereby repealed.

~~**Appendix I.**~~

~~Appendix I is hereby amended by the addition of the following provisions for Installation Standards for Trenchless Insertion of Polyethylene (PE) Pipe for Sewer Laterals:~~

~~IAPMO IS 26-2006~~

~~1.0 Scope.~~

~~1.1 Scope.~~

~~This standard shall govern the Trenchless Installation of Polyethylene (PE) pipe for use in sanitary and storm sewers. The installed pipe shall comply with the~~

~~requirements of the Uniform Plumbing Code (UPC) published by the International Association of Plumbing and Mechanical Officials (IAPMO) as to grade and connections to existing pipe and shall also comply with this standard.~~

~~Note: The following sections of the Uniform Plumbing Code apply:~~

~~103.5.6 Testing of Systems~~

~~103.5.7.2 Responsibility~~

~~103.5.8 Other Inspections~~

~~103.5.8.1 Defective Systems~~

~~103.6.1 Other Connection~~

~~218.0 Definition of PE~~

~~301.1 Minimum Standards~~

~~309.0 Workmanship~~

~~312.0 Protection of Piping and Materials and Structures~~

~~314.0 Trenching, Excavating and Backfill~~

~~Chapter 7 Sanitary Drainage~~

~~701.2 Drainage Fittings~~

~~705.11.3 Plastic Pipe to Other Materials~~

~~2.0 PRODUCT REQUIREMENTS~~

~~2.1 Minimum Standards~~

~~2.1.1 Materials. Materials shall comply with the following: The polyethylene pipe used is covered by the American Society for Testing (ASTM) standards listed later in this standard. [UPC 301.1]~~

~~Materials: HDPE Extra High Molecular Weight 3408 SDR 17 Pipe Socket Type PE Fittings for Outside Diameter Controlled Polyethylene Pipe.~~



~~Note: The HDPE 3408 SDR 17 pipe used in this process was selected because of its ability to retain its circular shape even when bent on a 4-foot radius during and after installation.~~

#### ~~2.1.2 Table 1401.1 Standards.~~

~~ASTM D 2239~~

~~ASTM D 2447~~

~~ASTM D 2657~~

~~ASTM D 2683~~

~~ASTM D 3261~~

~~ASTM F 714~~

~~ASTM F 894~~

~~IAPMO PS 25~~

#### ~~2.2 Protection of Pipe.~~

~~2.2.1 Storage and Handling. Pipe shall be stored in a way to protect it from mechanical damage (slitting, puncturing, etc.). It shall be stored under cover to keep it clean and avoid long term exposure to sunlight. Exposure to sunlight during normal construction periods is not harmful.~~

#### ~~2.3 Types of Joints. PE joints shall be made as follows:~~

~~2.3.1 Molded Rubber Coupling Joints. Molded rubber coupling joints shall be installed in accordance with Appendix I of the UPC and with section 705.~~

~~2.3.2 Shielded Coupling Joints. Shielded coupling joints shall be installed in accordance with Appendix I of the UPC and with section 705.4.2.~~

~~2.3.4 Hubless Cast Iron Pipe Joints. Hubless cast iron pipe joints shall be installed in accordance with Appendix I of the UPC and with section 705.4.2.~~

~~2.3.5 Heat Fusion Joints. Heat fusion joints shall be made according to the manufacturer's procedure, installation instructions, and either ASTM D 2659 or ASTM D 3261.~~

~~2.4 Trenchless Installation of sewers will be as follows:~~

~~I. Preliminary Steps. Inspect the inside of the sewer line using a television camera and video tape recorder to ascertain the line condition. Mark the details revealed by the video inspection including:~~

- ~~1. The ground surface to show the location of the lateral tie of the city wye.~~
- ~~2. The line location with an arrow in the street pointing back at the lateral.~~
- ~~3. The property denoting the lateral location.~~
- ~~4. The locations of the proposed excavations.~~

~~Obtain utility line identification service contact information and all applicable permits.~~

~~II. Excavation. In addition to the above markings, the local utility companies will mark utilities. Considerations are soil density; clearance from obstacles, utilities, and structures; location of bends; and water service locations. Excavations and shoring shall be in accordance with jurisdictional safety requirements.~~

~~III. Set Up. Fuse the proper length of polyethylene pipe in accordance with ASTM D 2657 and fuse the end to a small length that is attached to the pulling head. A rod pusher cable is pushed through the damaged host pipe and attached to the pulling cable, which is then drawn through the pipe. The clevis end of the cable is attached to the pulling head. The pulling equipment is then set up according to the manufacturer's instructions.~~

~~IV. Pulling. Pull the pulling head through. Once the pull is done, complete the connection to the existing piping.~~

413 ~~2.5 Cleanouts. Cleanouts shall be installed in accordance with UPC Section 707.0.~~

414 ~~2.6 Inspections. The completed piping shall be internally inspected by television~~  
415 ~~camera unless waived by the Administrative Authority. [UPC 103.5]~~

416 ~~2.7 Testing. Completed piping shall be subjected to testing in accordance with~~  
417 ~~Section 712.0 or 723.0 of the UPC.~~

418 Section 46. That original § 14.35.010, § 14.35.050, § 14.35.170, § 14.35.190, §  
419 14.35.200, § 14.35.210, § 14.35.250 and § 14.35.270 of The Code of the City of Topeka,  
420 Kansas, are hereby specifically repealed.

421 Section 47. This ordinance shall take effect and be in force effective 90 days after  
422 its passage, approval and publication in the official City newspaper.

423 Section 48. This ordinance shall supersede all ordinances, resolutions or rules,  
424 or portions thereof, which are in conflict with the provisions of this ordinance.

425 Section 49. Should any section, clause or phrase of this ordinance be declared  
426 invalid by a court of competent jurisdiction, the same shall not affect the validity of this  
427 ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

428 PASSED AND APPROVED by the Governing Body on \_\_\_\_\_.

429  
430 CITY OF TOPEKA, KANSAS

431  
432  
433  
434  
435 \_\_\_\_\_  
Michael A. Padilla, Mayor

436 ATTEST:

437  
438  
439  
440 \_\_\_\_\_  
441 Brenda Younger, City Clerk



**City of Topeka  
Policy &  
Finance  
Committee**

620 SE Madison St.  
Topeka, Kansas 66603  
[www.topeka.org](http://www.topeka.org)

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**DATE:** May 14, 2025

**CONTACT PERSON:** Jason Tryon, Deputy Director of Public Works

**SUBJECT:** Downtown Parking

**PROJECT #:**

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**DOCUMENT DESCRIPTION:**

Downtown Parking consideration for price changes and parking zones.

**ATTACHMENTS:**

Presentation (April 15, 2025 P&F Committee meeting)  
Proposed Ordinance  
Proposed Ordinance (Hiller amendment)  
Proposed Ordinance (Dobler amendment)  
Proposed Resolution



CITY OF  
**TOPEKA**



# Downtown Parking Policy and Finance

March 25, 2026

# Downtown Parking Current Issues

2

- Current zones are confusing and inconsistent
- Current policies encourage leapfrogging
- On street reserved spaces are not permitted for food trucks or similar vendors
- Revenue at current rate structure does not meet annual expenses



# Engagement with Downtown Stakeholders

3

In January we held engagement meetings with the DTI Board, Downtown Merchants Association, major stakeholders, merchants and employers.

Positive feedback on policing leapfrogging.

No objections to food truck proposal.

Positive response to signed 15 minute loading/unloading spaces in lieu of cones.

No objection to increasing costs of 10 hour meters

Weary of garage increases but acknowledged they were reasonable.

Both property managers and business owners were passionately opposed to charging for on street parking in 100 blocks and Kansas. 2024 was worst year ever, now is the wrong time. Will cause business to close





# Downtown Parking – Recommendations

4

1. Increase Garage monthly rate from \$67.75 to \$74.00
  - a. Effective at earliest convenience in Centre City, Crosby Place and Townsite Garage
  - b. Effective at Uptowner upon re-opening to the public
  - c. Effective at 512 and Park N Shop upon completion of structural repairs, estimated fall 2025.
  - d. Effective at Coronado Garage upon completion of structural repairs, no later than 2026.
  - e. 9<sup>th</sup> Street Garage would increase from \$47.43 to \$51.00 upon increase at Coronado (This is obligated by contract with BNSF)
2. Increase 10 hour meter price from \$0.50/hour to \$1.00/hour
3. Increase 10 hour monthly permit price from \$44.00 to \$74.00
4. Add code language from KS Avenue block zone to all timed zones (eliminating leapfrogging)
5. Add language allowing reserved spaces to include downtown businesses seeking for profit sales
6. Introduce designated and signed 15 minute pick up spaces on KS Avenue (replaces orange cones)
7. Relax restrictions north of sixth street, remove metered spaces West of Topeka Boulevard.
8. Remove yellow hoods on 100 blocks East and West of KS Avenue, charge \$1.00 per hour, institute paid parking on KS Avenue of \$1.25/hour effective January 1<sup>st</sup> 2026.



# Updated Map Jan. 2026

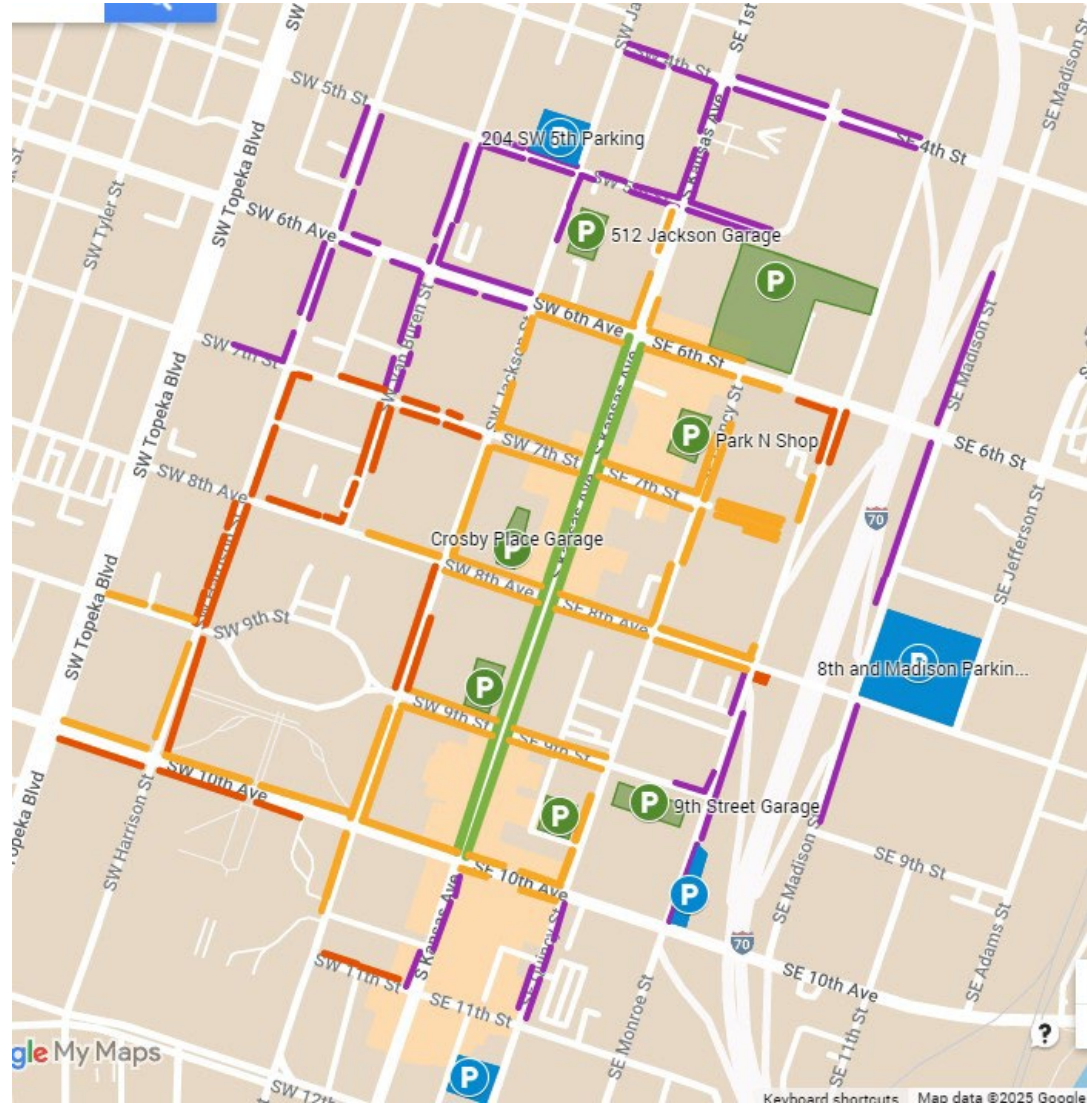
5

Green – 2 Hour, \$1.25 HR

Orange – 2 Hour, \$1.00 HR

Red – 10 Hour, \$1.00 HR

Purple – 4 Hour, Free Parking



(Published in the Topeka Metro News \_\_\_\_\_)

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE introduced by City Manager Dr. Robert M. Perez, concerning parking in the downtown central business district, amending § 10.60.320, § 10.60.330, § 10.60.340, § 10.60.150, § 10.60.200 and § 10.60.220 of the Topeka Municipal Code and repealing original sections.

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

Section 1. That section 10.60.320, Defined, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Defined.**

A “block parking zone” is any side of a block or blocks designated in the central business district for which parking is restricted through the use of parking meters or other time restrictions pursuant to this ~~title chapter. On Kansas Avenue, between 6th Street and 10th Street~~ For parking restricted by time limitations anywhere in the central business district, the allowable time for parking a vehicle shall terminate when the posted time has expired. Vehicles are not allowed to move to another parking space ~~on Kansas Avenue between 6th Street and 10th Street~~ restricted by time limitations in the central business district on the same calendar date. ~~Parking fines will be imposed and accumulated each time a vehicle exceeds the restrictions contained herein.~~

Section 2. That section 10.60.330, Parking restriction, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Parking restriction.**

No person shall be parked ~~within a designated block parking zone~~ in a parking space restricted by time limitations beyond ~~at~~ the specified time period. The time period

shall:

(a) Begin when the vehicle is first parked in a ~~block parking zone~~parking space restricted by time limitations;

(b) Continue whether or not the vehicle is thereafter moved to another parking space restricted by time limitations within the ~~same block parking area~~central business district, ~~except that the period shall be terminated if such vehicle is moved and parked in an area without a block parking zone designation~~; and

(c) Include all time during which the vehicle is thereafter parked in another single vehicle parking place having the same maximum lawful time limit unless movement of the vehicle has terminated the period as provided in subsection (b) of this section.

Section 3. That section 10.60.340, Overtime parking, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Overtime parking.**

It shall be unlawful for any person or driver to cause, allow or permit any motor vehicle registered in his name or operated or controlled by him to stand or be parked in any block parking zone beyond the maximum amount of time allowed for parking by the parking time restrictions or parking meters within ~~that block parking zone~~the central business district.

Section 4. That section 10.60.150, Establishment, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Establishment.**

(a) Parking meter zones are hereby established in the central business district

or upon those streets or parts of streets described in the schedule maintained in the records on file in the office of the City Clerk and the Transportation Operations Superintendent. In such zones, the parking of vehicles on the street shall be regulated by parking meters between the hours of 8:00 a.m. and 6:00 p.m. of any day except:

(1) Saturdays, when all time limitations shall remain in effect but no coin need be deposited; and

(2) Sundays and the following specific days: New Year's Day, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day and Christmas Day, when no time limitations shall be in effect nor the deposit of coin required.

(b) The Transportation Operations Superintendent may designate, alter or remove parking meter zones upon those streets or parts of streets where it is determined upon the basis of a parking study that the designation, alteration or removal of parking meters shall be necessary to aid in the regulation and control of the parking of vehicles.

(c) Curbside pickup parking zones may be designated by the Transportation Operations Superintendent to provide convenient short-term parking not to exceed 15 minutes in the central business district.

Section 5. That section 10.60.200, Time-restricted parking rates – Parking meters, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Time-restricted parking rates – Parking meters.**

(a) The Transportation Operations Superintendent may establish parking rates

in parking meter and time-restricted parking zones within the following minimum and maximum ranges:

(1) On street: \$0.50 and \$3.00 per hour.

(2) Ten-hour permits: \$44.00 and ~~\$65.00~~74.00 per month.

(b) In determining the parking rates, the Transportation Operations Superintendent will consider the availability of on-street parking, garage and lot parking, parking congestion and any other factors relative to parking operations in the central business district.

Section 6. That section 10.60.220, Permit for hood or cover, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Permit for hood or cover.**

(a) Permitted. Any parking meter need not be placed in operation by the deposit of a coin therein when the conditions set forth in this section have been satisfied and a permit issued for the hooding of such meter.

(b) Eligible Applicants. Criteria for issuing a permit for the hooding, covering or removal of the proximate parking meter, when so required for actual prosecution of the work or activity, are hereby established as follows:

(1) Persons having a permit from the Development Services Division to encumber any street or sidewalk in connection with any building or wrecking project.

(2) Persons having a permit from the Development Services Division to perform any plumbing, electrical, heating, sign hanging or other project in any public way or on premises which directly adjoin any street, alley or sidewalk.

98                   (3) Persons engaged in any public improvement under contract with the  
99 City or engaged in any work under supervision of the Public Works Department.

100                   (4) Service crews of public utilities (private or municipal) engaging in  
101 construction and maintenance work in or adjoining any public way.

102                   (5) Persons engaged in the business of moving personal property and  
103 effects from and to residential or commercial buildings adjoining any public way.

104                   (6) Persons licensed as funeral directors and holding services in any  
105 funeral home or church.

106                   (7) Persons engaged in the repair and maintenance of building service  
107 installations or office equipment.

108                   (8) Persons requiring temporary parking space immediately adjacent to  
109 commercial and industrial establishments for loading or unloading of building and  
110 office equipment of immediate necessity.

111                   (9) Persons acting under the authority or requirements of the Police and  
112 Fire Departments to provide temporary special use parking zones.

113                   (10) Governmental agencies sponsoring an agency event or meeting  
114 where additional parking stalls are required to meet the parking needs of the  
115 attendees.

116                   (11) Persons with a severe mobility impairment which necessitates the  
117 continued use of a wheelchair or canes and where the hooded parking stall is in  
118 close proximity to the person's place of employment. Provided, the fee for such a  
119 hooded parking meter shall be at the market rate for garage parking.

120                   (12) Persons/agencies or businesses with a physical address in the

Downtown Business District are permitted to reserve space contiguous to their business for the purpose of sales/vending consistent with their business needs. The space may not be continuously occupied for more than 10 consecutive hours. Sale or lease to a 3rd party within City ROW is prohibited.

(c) Approval of Application. The Transportation Operations Superintendent shall determine compliance with the above criteria for the hooding, covering or removal of any parking meter, and upon approval of the application therefor and payment of the appropriate fee, shall authorize the required parking meter to be hooded or removed in accordance with the application as approved. Upon the hooding or covering of the face of any parking meter, such meter need not be placed in operation by the deposit of a coin otherwise required by this article.

(d) Exceptional Cases. Exceptions to the rules and regulations and payment of required fees may be made in appropriate cases involving special circumstances not covered by this section upon an application and a showing that the hooding or removal of any parking meter serves the public convenience and safety, and is in harmony with the other provisions of this code; provided, that such exceptions shall be approved in advance by the Director of Public Works.

(e) Time of Filing Application. The application for a permit shall be made in writing and filed at least 12 hours in advance of the time any parking meter is to be hooded or removed; provided, that this requirement may be waived by the Transportation Operations Superintendent in emergency situations where public safety is at risk.

(f) Form of Application. The application for a permit under this section shall be



on a form prepared by the Transportation Operations Superintendent. The failure or refusal of any applicant to furnish information requested in such application shall be sufficient grounds for denial by the Transportation Operations Superintendent. The application shall show:

- (1) The name and business of the applicant;
- (2) The reason for the hooding or removal of the parking meter;
- (3) Evidence that a permit for the encumbering of any street has been issued by the Building Inspection Division, if applicable;
- (4) The location and number of parking meters desired to be hooded or removed and the day or dates and the hours such meters are to be hooded or removed; and
- (5) Such other information as may be required in such application form. If the Transportation Operations Superintendent finds from the application that the proposed use of a meter hood will be consistent on a yearly basis, then the Transportation Operations Superintendent may grant a permit on a month-to-month basis.

(g) Exhibit of Permit. In all cases, any permit issued under this section shall be kept by the permittee or his agent at the location of the parking meters authorized to be hooded or removed, and shall be exhibited to any officer or employee of the City upon demand.

(h) Issuance – Duties of City Officer. When an application for a permit has been approved, authorized employees of the City Transportation Operations Division shall cause the designated parking meters to be hooded in accordance with the permits; and

such employees shall remove the covers and return such covers to the custody of the Transportation Operations Superintendent at the expiration of the time limit as noted on the permit. If a meter is removed, it shall be removed by or under the direction of the Transportation Operations Superintendent so that the maximum amount of material may be salvaged.

(i) Fees. The Transportation Operations Superintendent may establish daily meter hood permit rates within the minimum and maximum ranges of \$6.00 and \$30.00. There shall be no permit fee imposed for Sundays or Saturdays. Each applicant shall pay the required fee per meter when any portion of the parking space controlled by the meter is used by the applicant or reserved under a permit granted as provided for in this section. Under no circumstances will the permit fee or any portion thereof be refunded to any applicant. All fees received under this section shall be deposited with the City Treasurer to the credit of the parking fund of the City.

(j) Termination of Permit. Notwithstanding anything in this section to the contrary, the Transportation Operations Superintendent shall have the right to unilaterally terminate a permit granted pursuant to this section.

Section 7. That original § 10.60.320, § 10.60.330, § 10.60.340, § 10.60.200 and § 10.60.220 of The Code of the City of Topeka, Kansas, are hereby specifically repealed.

Section 8. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 9. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 8. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the Governing Body on \_\_\_\_\_.

CITY OF TOPEKA, KANSAS

Michael A. Padilla, Mayor

ATTEST:

Brenda Younger, City Clerk

Double underline and double strikethrough show amendments proposed by Councilmember Hiller.

(Published in the Topeka Metro News \_\_\_\_\_)

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE introduced by City Manager Dr. Robert M. Perez, concerning parking in the downtown central business district, amending § 10.05.010, § 10.60.320, § 10.60.330, § 10.60.340, § 10.60.150, § 10.60.160, § 10.60.200, § 10.60.220, ~~and § 10.60.230~~ § 10.60.010, § 10.60.060, § 10.60.170, § 10.60.180, § 10.60.210, § 10.60.350, § 10.60.360 and § 10.60.370 of the Topeka Municipal Code and repealing original sections.

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

Section 1. That section 10.05.010, Definitions, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Definitions.**

The following words, terms and phrases, when used in this title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“Angle or diagonal parking” means the standing or parking of a motor vehicle on a public street with the long axis of the vehicle extending away from the street curb or roadway edge, and with the front of the vehicle away from the center of the street or roadway.

“Central business district” means that area bounded by Tyler Street, Madison Street, Second Street, and Huntoon Street.

~~“College Hill TIF development district” means the area bounded by SW 13th Street, SW Lane Street, SW Washburn Avenue and SW 17th Street, including the parking lot at 1325 SW 16th Street, the cutback parking on SW 16th Street west of Washburn Avenue, and the development of the northwest corner of SW 17th Street and~~

Double underline and double strikethrough show amendments proposed by Councilmember Hiller.

~~SW Washburn Avenue.~~

~~“Deposit of Coin” or other references to depositing of coins or use of coins for metered parking means any accepted method of payment for the use of the metered parking.~~

“Parallel parking” means:

(1) On streets with curbs, the standing or parking of the vehicle with the righthand wheels thereof parallel and within 12 inches of the righthand curb or roadway edge, subject to the exceptions permitting left side parallel parking as provided in this title.

(2) On streets without curbs, the standing or parking of a motor vehicle with the righthand wheels thereof parallel with the right edge of the roadway so that at least 20 feet of the width of the roadway remains for the free movement of vehicular traffic.

“Street parking” means that portion of a street between the curb or lateral lines of a roadway and the adjacent lot lines not occupied by a sidewalk.

“Traffic Division” means the Traffic Division of the City Police Department created by ordinance or such other unit of the Police Department as is designated functions under this title.

“Traffic Engineer” means the Traffic Engineer of the City or any person designated by the Public Works Director or designee for the purpose of implementing and enforcing ordinances of the City relating to traffic.

“Transportation Operations Division” means that division within the Public Works Department which has responsibility for street maintenance, traffic operations and on-

Double underline and double strikethrough show amendments proposed by Councilmember Hiller.

street and off-street parking.

“Transportation Operations Superintendent” means the Public Works Director or designee.

“Vehicle” as used in TMC 10.25.010(b) means any vehicle ~~belonging to a person other than the person who owns or is entitled to possession of the private property on which abandonment occurs,~~ propelled by power other than human power, designed to travel along the ground by use of wheels, tread, runners or slides, and transport persons or property or pull machinery and shall include, without limitation, automobiles, trucks, trailers, motorcycles, tractors, buggies and wagons.

Zones.

(1) “Curb loading zone” means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

(2) “No parking zones” means portions of streets designated by the Transportation Operations Superintendent as zones within which parking is prohibited at all times or at stated times when signposted.

(3) “No standing zones” means portions of streets designated by the Transportation Operations Superintendent as zones within which standing or stopping is prohibited at all times or at stated times when signposted.

~~(4) “Parking meter zones” means portions of streets designated by the Transportation Operations Superintendent as zones within which the parking of vehicles shall be controlled, regulated and inspected with the aid of timing devices or meters, referred to in this title as parking meters.~~

Double underline and double strikethrough show amendments proposed by Councilmember Hiller.

(54) “Passenger curb loading zone” means a place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

(65) “Safety zone” means the area of space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

(76) “Time-restricted parking zones” means portions of streets designated by the Transportation Operations Superintendent as zones within which the parking of vehicles are controlled and regulated by parking meters, pay stations or other methods.

Words and phrases not defined in this section shall have the meaning ascribed to them by the laws of the State relating to motor vehicles.

Section 2. That section 10.60.320, Defined, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Defined.**

A “block parking zone” is any side of a block or blocks designated in the central business district for which parking is restricted through the use of parking meters or other time restrictions pursuant to this ~~title~~chapter. ~~On Kansas Avenue, between 6th Street and 10th Street~~For parking restricted by time limitations anywhere in the central business district, the allowable time for parking a vehicle shall terminate when the posted time has expired. Vehicles are not allowed to move to another parking space ~~on Kansas Avenue between 6th Street and 10th Street~~restricted by time limitations in the

Double underline and double strikethrough show amendments proposed by Councilmember Hiller.

central business district on the same calendar date. ~~Parking fines will be imposed and accumulated each time a vehicle exceeds the restrictions contained herein.~~

Section 3. That section 10.60.330, Parking restriction, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Parking restriction: Overtime.**

No person shall be parked ~~within a designated block parking zone~~ in a parking space restricted by time limitations beyond ~~at~~ the specified time period. The time period shall:

(a) Begin when the vehicle is first parked in a ~~block parking zone~~ parking space restricted by time limitations;

(b) Continue whether or not the vehicle is thereafter moved to another parking space restricted by time limitations within the ~~same block parking area~~ central business district, ~~except that the period shall be terminated if such vehicle is moved and parked in an area without a block parking zone designation~~ during the same calendar date; and

(c) Include all time during which the vehicle is thereafter parked in another single vehicle parking place having the same maximum lawful time limit unless movement of the vehicle has terminated the period as provided in subsection (b) of this section.

Section 4. That section 10.60.340, Overtime parking, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Overtime parking.**

It shall be unlawful for any person or driver to cause, allow or permit any motor vehicle registered in his name or operated or controlled by him to stand or be parked in



Double underline and double strikethrough show amendments proposed by Councilmember Hiller.

any block parking zone beyond the maximum amount of time allowed for parking by the parking time restrictions or parking meters zones within ~~that block parking zone~~ the central business district.

Section 5. That section 10.60.150, Establishment, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Establishment.**

(a) ~~Parking meter~~ Time-restricted parking zones are hereby established in the central business district or upon those streets or parts of streets described in the schedule maintained in the records on file in the office of the City Clerk and the Transportation Operations Superintendent. In such zones, the parking of vehicles on the street shall be regulated ~~by parking meters~~ between the hours of 8:00 a.m. and 6:00 p.m. of any day except:

(1) Saturdays, when all time limitations shall remain in effect but no ~~coin~~ need be deposited payment required; and

(2) Sundays and the following specific days: New Year's Day, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day and Christmas Day, when no time limitations shall be in effect nor ~~the deposit of coin~~ payment required.

(b) The Transportation Operations Superintendent may designate, alter or remove time-restricted ~~parking meter~~ zones upon those streets or parts of streets where it is determined upon the basis of a parking study that the designation, alteration or removal of parking ~~meters~~ limitations shall be necessary to aid in the regulation and control of the parking of vehicles.

Double underline and double strikethrough show amendments proposed by Councilmember Hiller.

(c) Curbside pickup parking zones may be designated by the Transportation Operations Superintendent to provide convenient short-term parking not to exceed 15 minutes in the central business district.

Section 6. That section 10.60.160, Installation of parking meters, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Installation of parking meters or appropriate signage.**

(a) The Transportation Operations Superintendent shall install parking meters or appropriate signage in or adjacent to the time restricted parking ~~meter zones established as provided in this article upon the curb immediately adjacent to each designated parking space. Such meters shall be capable of being operated either automatically or mechanically, only upon the deposit therein of coins of the United States in the denomination and in the number of combinations shown by a legend on the meter. The amount of parking time granted for each coin shall be in the amount shown on the meter; provided, it shall be illegal to park beyond the time limit specified on the face of such parking meter regardless of the number of coins deposited. Where payment is required, the payment method shall be capable of displaying the amount of time that has been purchased.~~

(b) ~~Each parking meter shall be so designed, constructed, installed and set that upon the expiration of the time period registered by the deposit of one or more coins as provided in this section, it will indicate by~~ Payment methods must be capable of displaying an appropriate signal that the lawful parking ~~meter~~ time period has expired, and during such period of time and prior to the expiration thereof, will indicate the interval of time that remains for such period.

Double underline and double strikethrough show amendments proposed by Councilmember Hiller.

(c) ~~Each parking meter shall bear thereon a legend indicating~~Payment methods  
must indicate the days and hours when ~~the requirement to deposit coins therein shall~~  
~~apply~~payment is required, the value of the ~~coins to be deposited~~time purchased and the  
limited period of time for which parking is lawfully permitted in the time-restricted parking  
~~meter~~ zone in which such ~~meters~~space is located.

Section 7. That section 10.60.200, Time-restricted parking rates – Parking  
meters, of The Code of the City of Topeka, Kansas, is hereby amended to read as  
follows:

**Time-restricted parking rates – Parking meters.**

(a) The Transportation Operations Superintendent may establish parking rates  
in ~~parking meter and~~ time-restricted parking zones within the following minimum and  
maximum ranges:

(1) On street: \$0.50 and \$3.00 per hour.

(2) Ten-hour permits: \$44.00 and ~~\$65.00~~\$74.00~~\$120.00~~ per month.

(b) In determining the parking rates, the Transportation Operations  
Superintendent will consider the availability of on-street parking, garage and lot  
parking, parking congestion and any other factors relative to parking operations  
in the central business district.

Section 8. That section 10.60.220, Permit for hood or cover, of The Code of  
the City of Topeka, Kansas, is hereby amended to read as follows:

**Permit for ~~hood or cover~~reserved parking space.**

(a) Permitted. Any ~~parking meter need not be placed in operation by the deposit~~  
~~of a coin therein~~Payment is not required for any parking space when the conditions set

Double underline and double strikethrough show amendments proposed by Councilmember Hiller.

191 forth in this section have been satisfied and a permit issued for the ~~hooding~~reserving of  
192 such ~~meter~~parking space. “Permit” or “hood” or “hooded meters” refers to any parking  
193 space designated as reserved, that has been marked with a hood covering the meter or  
194 other signage communicating the space as reserved.

195 (b) Eligible Applicants. Criteria for issuing a permit for the ~~hooding, covering or~~  
196 ~~removal of the proximate parking meter~~reserving of time-restricted parking spaces,  
197 when so required for actual ~~prosecution~~execution of the work or activity, are hereby  
198 established as follows:

199 (1) Persons having a permit from the Development Services Division to  
200 encumber any street or sidewalk in connection with any building or wrecking  
201 project.

202 (2) Persons having a permit from the Development Services Division to  
203 perform any plumbing, electrical, heating, sign hanging or other project in any  
204 public way or on premises which directly adjoin any street, alley or sidewalk.

205 (3) Persons engaged in any public improvement under contract with the  
206 City or engaged in any work under supervision of the Public Works Department.

207 (4) Service crews of public utilities (private or municipal) engaging in  
208 construction and maintenance work in or adjoining any public way.

209 (5) Persons engaged in the business of moving personal property and  
210 effects from and to residential or commercial buildings adjoining any public way.

211 (6) Persons licensed as funeral directors and holding services in any  
212 funeral home or church.

213 (7) Persons engaged in the repair and maintenance of building service

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installations or office equipment.

(8) Persons requiring temporary parking space immediately adjacent to commercial and industrial establishments for loading or unloading of building and office equipment of immediate necessity.

(9) Persons acting under the authority or requirements of the Police and Fire Departments to provide temporary special use parking zones.

(10) Governmental agencies sponsoring an agency event or meeting where additional parking stalls are required to meet the parking needs of the attendees.

(11) Persons with a severe mobility impairment which necessitates the continued use of a wheelchair or canes and where the hooded parking stall is in close proximity to the person's place of employment. Provided, the fee for such a hooded parking meter shall be at the market rate for garage parking.

(12) Persons/agencies or businesses with a physical address in the Downtown Business District are permitted to reserve space contiguous to their business for the purpose of sales/vending consistent with their business needs. The space may not be continuously occupied for more than 10 consecutive hours. Sale or lease to a 3rd party within City ROW is prohibited.

(c) Approval of Application. The Transportation Operations Superintendent shall determine compliance with the above criteria for the ~~hooding, covering or removal~~reservation of any parking ~~meterspace~~, and upon approval of the application therefor and payment of the appropriate fee, shall authorize the required parking ~~meterspace~~ to be ~~hooded or removed~~reserved in accordance with the application as

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approved. ~~Upon the hooding or covering of the face of any parking meter, such meter need not be placed in operation by the deposit of a coin otherwise required by this article.~~

(d) Exceptional Cases. Exceptions to the rules and regulations and payment of required fees may be made in appropriate cases involving special circumstances not covered by this section upon an application and a showing that the hooding or removal of any parking meter serves the public convenience and safety, and is in harmony with the other provisions of this code; provided, that such exceptions shall be approved in advance by the Director of Public Works.

(e) Time of Filing Application. The application for a permit shall be made in writing and filed at least 12 hours in advance of the time any parking meter is to be hooded or removed; provided, that this requirement may be waived by the Transportation Operations Superintendent in emergency situations where public safety is at risk.

(f) Form of Application. The application for a permit under this section shall be on a form prepared by the Transportation Operations Superintendent. The failure or refusal of any applicant to furnish information requested in such application shall be sufficient grounds for denial by the Transportation Operations Superintendent. The application shall show:

(1) The name and business of the applicant;

(2) The reason for the ~~hooding or removal~~ reservation of the parking ~~meters~~ space;

(3) Evidence that a permit for the encumbering of any street has been

Double underline and double strikethrough show amendments proposed by Councilmember Hiller.

issued by the Building Inspection Division, if applicable;

(4) The location and number of parking ~~meters~~spaces desired to be ~~hooded or removed~~reserved and the day or dates and the hours such ~~meters~~spaces are to be ~~hooded or removed~~reserved; and

(5) Such other information as may be required in such application form. If the Transportation Operations Superintendent finds from the application that the proposed use of a ~~meter hood~~reserved space will be consistent on a yearly basis, then the Transportation Operations Superintendent may grant a permit on a month-to-month basis.

(g) Exhibit of Permit. In all cases, any permit issued under this section shall be kept by the permittee or his agent at the location of the parking ~~meters~~spaces authorized to be ~~hooded or removed~~reserved, and shall be exhibited to any officer or employee of the City upon demand.

(h) Issuance – Duties of City Officer. When an application for a permit has been approved, authorized employees of the City Transportation Operations Division shall cause the designated parking ~~meters~~spaces to be ~~hooded~~reserved with appropriate signage in accordance with the permits; and such employees shall remove the ~~eovers~~ and return such covers to the custody of the Transportation Operations Superintendent~~signage~~ at the expiration of the time limit as noted on the permit. If a meter is removed, it shall be removed by or under the direction of the Transportation Operations Superintendent so that the maximum amount of material may be salvaged.

(i) Fees. The Transportation Operations Superintendent may establish daily ~~meter hood~~reserved space permit rates within the minimum and maximum ranges of

Double underline and double strikethrough show amendments proposed by Councilmember Hiller.

\$6.00 and \$30.00. There shall be no permit fee imposed for Sundays or Saturdays. Each applicant shall pay the required fee per meterparking space when any portion of the parking space ~~controlled by the meter~~ is used by the applicant or reserved under a permit granted as provided for in this section. Under no circumstances will the permit fee or any portion thereof be refunded to any applicant. All fees received under this section shall be deposited with the City Treasurer to the credit of the parking fund of the City.

(j) Termination of Permit. Notwithstanding anything in this section to the contrary, the Transportation Operations Superintendent shall have the right to unilaterally terminate a permit granted pursuant to this section.

Section 9 That section 10.60.230, Unlawful use of or interference with hooded meters, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Unlawful use of or interference with ~~hooded meters~~reserved parking spaces.**

(a) It shall be unlawful for any person, other than a person having a valid permit issued under authority of the provisions of TMC 10.60.220, any authorized agents, employees or servants to park or stand any vehicle in the reserved parking space ~~adjacent to any parking meter hooded or removed in compliance with this article.~~

(b) It shall be unlawful for any unauthorized person to remove any parking meter or to cover or hood any parking meter, or to remove, tamper with, damage or destroy any official parking meter cover, ~~or hood~~ or parking related signage of the City, or for any person to have possession of any cover, hood or other device designed for



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the purpose of masking, covering, reserving or hooding any parking meter or signage contrary to the provisions of TMC 10.60.220.

Section 10. That section 10.60.010, Fine schedule, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Fine schedule.**

(a) The Transportation Operations Superintendent may establish a fine schedule for ~~parking meter, any~~ time-restricted parking, ~~overtime parking and block parking~~ zone violations within the following minimum and maximum ranges:

(1) Eight dollars and \$20.00 for a first violation; and

(2) Fifteen dollars and \$40.00 for a second violation and all successive violations at the same parking meter, time-restricted parking or block parking zone on the same date.

(b) In determining the fine schedule, the Transportation Operations Superintendent will consider the availability of on-street parking, garage and lot parking, parking congestion and any other factors relative to parking operations in the central business district.

(c) Fines shall be paid as follows:

(1) The amount of the fine, if paid within 14 calendar days.

(2) Double the fine for the same violation after 14 calendar days have elapsed.

(3) Triple the fine for the same violation after 30 calendar days have elapsed.

(4) Four times the fine for the same violation after 60 calendar days have elapsed.

(5) Unpaid fines for parking violations which have been subject to a final

Double underline and double strikethrough show amendments proposed by Councilmember Hiller.

determination will be collected, utilizing civil collection process after 75 calendar days have elapsed.

(d) All of the moneys collected for overtime parking and block meter zone violations shall be distributed to the parking fund.

(e) Notwithstanding the fine schedule set forth in subsection (a) of this section or any other conflicting section contained in this title, the City Manager shall have the authority to waive the enforcement and collection of ~~parking meter, any~~ time-restricted parking, ~~overtime parking, and block parking~~ zone violations on such dates and times and at the specific locations that the City Manager shall designate in writing to the Transportation Operations Superintendent.

Section 11. That section 10.60.060, Permit restrictions, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Permit restrictions.**

Annual delivery vehicle permits shall be subject to the following restrictions:

(a) Delivery vehicles displaying such permit shall be exempt from ~~depositing coins of U.S. currency into the~~ payment for parking meters, but not from the posted parking time limits.

(b) Delivery vehicles displaying such permit shall be exempt from ~~blocktime-~~ restricted parking zone ordinances, but may not remain in the same stall beyond the posted parking time limit.

(c) Such permit shall not be valid when displayed upon a vehicle with a gross vehicle weight in excess of 5,500 pounds; and which cannot be safely accommodated by a standard parallel or angle parking stall.

Double underline and double strikethrough show amendments proposed by Councilmember Hiller.

Section 12. That section 10.60.170, Parking meter spaces, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Parking meter spaces.**

(a) The Transportation Operations Superintendent shall designate the parking adjacent to each parking meter for which such meter is to be used by appropriate markings upon the curb or pavement of the street. Parking meter spaces so designated shall be of appropriate length and width so as to be accessible from the traffic lanes of each street.

(b) No person shall park a vehicle in any such designated parking meter space during the restricted or regulated time applicable to the time-restricted parking meter zone in which such meter is located so that any part of such vehicle occupies more than one such space, except that a vehicle which is too large to be parked within a single designated time-restricted parking meter zone shall be permitted to occupy two adjoining parking meter spaces when ~~coins shall have been deposited in the parking meter~~ payment is made for each space so occupied, the same as is required in this article for the parking of other vehicles in such space.

Section 13. That section 10.60.180, Deposit of coins and time limits – Disabled veterans exempt, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Deposit of coins and time limits – Disabled veterans exempt.**

(a) No person shall park or stand a vehicle in any parking space upon a street next to which a parking meter has been installed unless ~~a coin or coins of United States currency of the appropriate denominations shall have been deposited therein~~ payment is

Double underline and double strikethrough show amendments proposed by Councilmember Hiller.

made, or shall have been previously ~~deposited~~paid therein for an unexpired interval of time, and the meter has been placed in operation; provided, that this provision shall not apply to the act of parking or the necessary time which is required to ~~deposit~~make payment immediately thereafter ~~a coin in such meter~~, nor to disabled veterans as exempted under subsection (c) of this section.

(b) The provisions of this section shall not relieve any person from observing other and more restrictive provisions of other ordinances and State laws prohibiting or limiting the stopping, standing or parking of vehicles in specified places or at specified times.

(c) Motor vehicles bearing the distinctive license plates or tags of disabled veterans as authorized by law shall be permitted to park without charge in any metered zone of the City.

Section 14. That section 10.60.210, Rates and fees, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Rates and fees.**

~~(a) Purpose Generally. The authorized coins of the United States are required to be deposited~~required payment as provided by this article or fees received in lieu thereof, are hereby ordered ~~to be deposited~~ to cover the cost of inspection, installation, operation, patrol and use of parking spaces and parking meters and off-street parking facilities described in this article and to regulate the parking of vehicles in the time-restricted parking ~~meter~~ zones created by this article and to provide for the proper regulation, control and inspection of traffic upon the public streets and municipal off-street parking facilities. All fees thus collected shall be paid into the City Treasury and

Double underline and double strikethrough show amendments proposed by Councilmember Hiller.

deposited into the parking fund.

Section 15. That section 10.60.350, Duty of traffic officers, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Duty of traffic officers.**

(a) Parking control officers shall have the authority to issue parking ~~meter~~ tickets, and a uniform complaint and notice to appear for violations of Standard Traffic Ordinance Sections 83 through and including 102 and TMC 10.60.130, 10.60.230(a) and 10.60.500 within the central business district ~~and the College Hill TIF development district~~. This authority is limited exclusively to the designated violations and restricted to the central business district and the College Hill TIF development district.

(b) It shall be the duty of each parking control officer or police officer to take the block number and the street name at which any vehicle is parked in violation of the provisions of this article and take the license tag number or any other available identification number of each such vehicle and issue a parking ~~meter~~ ticket or uniform citation, as the case may be. Each such officer shall leave on such vehicle a ticket or summons stating thereon the violation.

Section 16. That section 10.60.360, Violations, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Violations.**

Each and every hour during which a motor vehicle shall remain unlawfully parked in any ~~block~~ blocktime-restricted parking zone shall constitute a separate and distinct violation, subject to penalty. Any person who shall aid, abet or assist in the violation of any of the provisions of this article shall be guilty of an offense.

Double underline and double strikethrough show amendments proposed by Councilmember Hiller.

Section 17. That section 10.60.370, Exemptions, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Exemptions.**

(a) All exemptions applicable to time-restricted parking ~~meter~~-zone violations pursuant to Article IV of this chapter shall also be applicable to ~~block~~time-restricted parking zones in this Article.

(b) Any person eligible to acquire a permit and related identification tag to exempt such person from this article may be exempted thereupon.

(c) No exemptions from this article give a person exemption from any other sections of the code unless otherwise exempted therefrom.

Section 18. That original § 10.05.010, § 10.60.320, § 10.60.330, § 10.60.340, § 10.60.150, § 10.60.160, § 10.60.200, § 10.60.220, ~~and~~ § 10.60.230 § 10.60.010, § 10.60.060, § 10.60.170, § 10.60.180, § 10.60.210, § 10.60.350, § 10.60.360 and § 10.60.370 of The Code of the City of Topeka, Kansas, are hereby specifically repealed.

Section 19. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 20. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 21. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the City Council on \_\_\_\_\_.

CITY OF TOPEKA, KANSAS

Double underline and double strikethrough show amendments proposed by Councilmember Hiller.

ATTEST:

\_\_\_\_\_  
Michael A. Padilla, Mayor

\_\_\_\_\_  
Brenda Younger, City Clerk

(Published in the Topeka Metro News \_\_\_\_\_)

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE introduced by City Manager Dr. Robert M. Perez, concerning parking in the downtown central business district, amending § 10.05.010, § 10.60.320, § 10.60.330, § 10.60.340, § 10.60.150, § 10.60.160, § 10.60.200, § 10.60.220 and § 10.60.230 of the Topeka Municipal Code and repealing original sections.

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

Section 1. That section 10.05.010, Definitions, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Definitions.**

The following words, terms and phrases, when used in this title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“Angle or diagonal parking” means the standing or parking of a motor vehicle on a public street with the long axis of the vehicle extending away from the street curb or roadway edge, and with the front of the vehicle away from the center of the street or roadway.

“Central business district” means that area bounded by Tyler Street, Madison Street, Second Street, and Huntoon Street.

“College Hill TIF development district” means the area bounded by SW 13th Street, SW Lane Street, SW Washburn Avenue and SW 17th Street, including the parking lot at 1325 SW 16th Street, the cutback parking on SW 16th Street west of Washburn Avenue, and the development of the northwest corner of SW 17th Street and SW Washburn Avenue.



29           “Deposit of Coin” or other references to depositing of coins or use of coins for  
30 metered parking means any accepted method of payment for the use of the metered  
31 parking.

32           “Parallel parking” means:

33                   (1) On streets with curbs, the standing or parking of the vehicle with the  
34                   righthand wheels thereof parallel and within 12 inches of the righthand curb or  
35                   roadway edge, subject to the exceptions permitting left side parallel parking as  
36                   provided in this title.

37                   (2) On streets without curbs, the standing or parking of a motor vehicle  
38                   with the righthand wheels thereof parallel with the right edge of the roadway so  
39                   that at least 20 feet of the width of the roadway remains for the free movement of  
40                   vehicular traffic.

41           “Street parking” means that portion of a street between the curb or lateral lines of  
42           a roadway and the adjacent lot lines not occupied by a sidewalk.

43           “Traffic Division” means the Traffic Division of the City Police Department created  
44           by ordinance or such other unit of the Police Department as is designated functions  
45           under this title.

46           “Traffic Engineer” means the Traffic Engineer of the City or any person  
47           designated by the Public Works Director or designee for the purpose of implementing  
48           and enforcing ordinances of the City relating to traffic.

49           “Transportation Operations Division” means that division within the Public Works  
50           Department which has responsibility for street maintenance, traffic operations and on-  
51           street and off-street parking.

52 “Transportation Operations Superintendent” means the Public Works Director or  
53 designee.

54 “Vehicle” as used in TMC 10.25.010(b) means any vehicle belonging to a person  
55 other than the person who owns or is entitled to possession of the private property on  
56 which abandonment occurs, propelled by power other than human power, designed to  
57 travel along the ground by use of wheels, tread, runners or slides, and transport  
58 persons or property or pull machinery and shall include, without limitation, automobiles,  
59 trucks, trailers, motorcycles, tractors, buggies and wagons.

60 Zones.

61 (1) “Curb loading zone” means a space adjacent to a curb reserved for  
62 the exclusive use of vehicles during the loading or unloading of passengers or  
63 materials.

64 (2) “No parking zones” means portions of streets designated by the  
65 Transportation Operations Superintendent as zones within which parking is  
66 prohibited at all times or at stated times when signposted.

67 (3) “No standing zones” means portions of streets designated by the  
68 Transportation Operations Superintendent as zones within which standing or  
69 stopping is prohibited at all times or at stated times when signposted.

70 (4) “Parking meter zones” means portions of streets designated by the  
71 Transportation Operations Superintendent as zones within which the parking of  
72 vehicles ~~shall be~~are controlled, regulated and inspected ~~with the aid of timing~~  
73 ~~devices or meters, referred to in this title as parking meters~~by parking meters,  
74 pay stations or other methods.

(5) "Passenger curb loading zone" means a place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

(6) "Safety zone" means the area of space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

(7) "Time-restricted parking zones" means portions of streets designated by the Transportation Operations Superintendent as zones within which the parking of vehicles are controlled and regulated by parking meters, pay stations or other methods.

Words and phrases not defined in this section shall have the meaning ascribed to them by the laws of the State relating to motor vehicles.

Section 2. That section 10.60.320, Defined, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Defined.**

A "block parking zone" is any side of a block or blocks designated in the central business district for which parking is restricted through the use of parking meters or other time restrictions pursuant to this ~~title~~chapter. ~~On Kansas Avenue, between 6th Street and 10th Street~~For parking restricted by time limitations anywhere in the central business district, the allowable time for parking a vehicle shall terminate when the posted time has expired. Vehicles are not allowed to move to another parking space ~~on Kansas Avenue between 6th Street and 10th Street~~restricted by time limitations in the

98 central business district on the same calendar date. ~~Parking fines will be imposed and~~  
99 ~~accumulated each time a vehicle exceeds the restrictions contained herein.~~

100 Section 3. That section 10.60.330, Parking restriction, of The Code of the City  
101 of Topeka, Kansas, is hereby amended to read as follows:

102 **Parking restriction.**

103 No person shall be parked ~~within a designated block parking zone~~ in a parking  
104 space restricted by time limitations beyond ~~at~~ the specified time period. The time period  
105 shall:

106 (a) Begin when the vehicle is first parked in a ~~block parking zone~~ parking space  
107 restricted by time limitations;

108 (b) Continue whether or not the vehicle is thereafter moved to another parking  
109 space restricted by time limitations within the ~~same block parking area~~ central business  
110 district, ~~except that the period shall be terminated if such vehicle is moved and parked in~~  
111 ~~an area without a block parking zone designation~~; and

112 (c) Include all time during which the vehicle is thereafter parked in another  
113 single vehicle parking place having the same maximum lawful time limit unless  
114 movement of the vehicle has terminated the period as provided in subsection (b) of this  
115 section.

116 Section 4. That section 10.60.340, Overtime parking, of The Code of the City  
117 of Topeka, Kansas, is hereby amended to read as follows:

118 **Overtime parking.**

119 It shall be unlawful for any person or driver to cause, allow or permit any motor  
120 vehicle registered in his name or operated or controlled by him to stand or be parked in

any block parking zone beyond the maximum amount of time allowed for parking by the parking time restrictions or parking meters zones within ~~that block parking zone~~ the central business district.

Section 5. That section 10.60.150, Establishment, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Establishment.**

(a) Parking meter zones are hereby established in the central business district or upon those streets or parts of streets described in the schedule maintained in the records on file in the office of the City Clerk and the Transportation Operations Superintendent. In such zones, the parking of vehicles on the street shall be regulated ~~by parking meters~~ between the hours of 8:00 a.m. and 6:00 p.m. of any day except:

(1) Saturdays, when all time limitations shall remain in effect but no ~~coin~~ need be deposited payment required; and

(2) Sundays and the following specific days: New Year's Day, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day and Christmas Day, when no time limitations shall be in effect nor ~~the deposit of coin~~ payment required.

(b) The Transportation Operations Superintendent may designate, alter or remove parking meter zones upon those streets or parts of streets where it is determined upon the basis of a parking study that the designation, alteration or removal of parking meters shall be necessary to aid in the regulation and control of the parking of vehicles. No parking meter zones shall be established on Kansas Avenue Between 6<sup>th</sup> Avenue and 10<sup>th</sup> Street.

144           (c)    Curbside pickup parking zones may be designated by the Transportation  
145 Operations Superintendent to provide convenient short-term parking not to exceed 15  
146 minutes in the central business district.

147           Section 6.   That section 10.60.160, Installation of parking meters, of The Code  
148 of the City of Topeka, Kansas, is hereby amended to read as follows:

149           **Installation of parking meters.**

150           (a) The Transportation Operations Superintendent shall install parking meters or  
151 appropriate signage in or adjacent to the parking meter zones established as provided  
152 in this article ~~upon the curb immediately adjacent to each designated parking space.~~  
153 ~~Such meters shall be capable of being operated either automatically or mechanically,~~  
154 ~~only upon the deposit therein of coins of the United States in the denomination and in~~  
155 ~~the number of combinations shown by a legend on the meter. The amount of parking~~  
156 ~~time granted for each coin shall be in the amount shown on the meter; provided, it shall~~  
157 ~~be illegal to park beyond the time limit specified on the face of such parking meter~~  
158 ~~regardless of the number of coins deposited.~~ The payment method shall be capable of  
159 displaying the amount of time that has been purchased.

160           (b) ~~Each parking meter shall be so designed, constructed, installed and set that~~  
161 ~~upon the expiration of the time period registered by the deposit of one or more coins as~~  
162 ~~provided in this section, it will indicate by~~ Payment methods must be capable of  
163 displaying an appropriate signal that the lawful parking meter period has expired, and  
164 during such period of time and prior to the expiration thereof, will indicate the interval of  
165 time that remains for such period.

166           (c) ~~Each parking meter shall bear thereon a legend indicating~~ Payment methods

167 ~~must indicate~~ the days and hours when ~~the requirement to deposit coins therein shall~~  
168 ~~apply~~payment is required, the value of the coins ~~to be deposited~~time purchased and the  
169 limited period of time for which parking is lawfully permitted in the parking meter zone in  
170 which such ~~meter~~space is located.

171 Section 7. That section 10.60.200, Time-restricted parking rates – Parking  
172 meters, of The Code of the City of Topeka, Kansas, is hereby amended to read as  
173 follows:

174 **Time-restricted parking rates – Parking meters.**

175 (a) The Transportation Operations Superintendent may establish parking rates  
176 in parking meter and time-restricted parking zones within the following minimum and  
177 maximum ranges:

178 (1) On street: \$0.50 and \$3.00 per hour.

179 (2) Ten-hour permits: \$44.00 and ~~\$65.00~~74.00 per month.

180 (b) In determining the parking rates, the Transportation Operations  
181 Superintendent will consider the availability of on-street parking, garage and lot  
182 parking, parking congestion and any other factors relative to parking operations  
183 in the central business district.

184 Section 8. That section 10.60.220, Permit for hood or cover, of The Code of  
185 the City of Topeka, Kansas, is hereby amended to read as follows:

186 **Permit for ~~hood or cover~~reserved parking space.**

187 (a) Permitted. ~~Any parking meter need not be placed in operation by the deposit~~  
188 ~~of a coin therein~~Payment is not required for any parking space when the conditions set  
189 forth in this section have been satisfied and a permit issued for the ~~hooding~~reserving of

190 such ~~meter~~ parking space. “Permit” or “hood” or “hooded meters” refers to any parking  
191 space designated as reserved, that has been marked with a hood covering the meter or  
192 other signage communicating the space as reserved.

193 (b) Eligible Applicants. Criteria for issuing a permit for the hooding, covering or  
194 removal of the proximate parking meter, when so required for actual  
195 ~~prosecution~~ execution of the work or activity, are hereby established as follows:

196 (1) Persons having a permit from the Development Services Division to  
197 encumber any street or sidewalk in connection with any building or wrecking  
198 project.

199 (2) Persons having a permit from the Development Services Division to  
200 perform any plumbing, electrical, heating, sign hanging or other project in any  
201 public way or on premises which directly adjoin any street, alley or sidewalk.

202 (3) Persons engaged in any public improvement under contract with the  
203 City or engaged in any work under supervision of the Public Works Department.

204 (4) Service crews of public utilities (private or municipal) engaging in  
205 construction and maintenance work in or adjoining any public way.

206 (5) Persons engaged in the business of moving personal property and  
207 effects from and to residential or commercial buildings adjoining any public way.

208 (6) Persons licensed as funeral directors and holding services in any  
209 funeral home or church.

210 (7) Persons engaged in the repair and maintenance of building service  
211 installations or office equipment.

212 (8) Persons requiring temporary parking space immediately adjacent to



commercial and industrial establishments for loading or unloading of building and office equipment of immediate necessity.

(9) Persons acting under the authority or requirements of the Police and Fire Departments to provide temporary special use parking zones.

(10) Governmental agencies sponsoring an agency event or meeting where additional parking stalls are required to meet the parking needs of the attendees.

(11) Persons with a severe mobility impairment which necessitates the continued use of a wheelchair or canes and where the hooded parking stall is in close proximity to the person's place of employment. Provided, the fee for such a hooded parking meter shall be at the market rate for garage parking.

(12) Persons/agencies or businesses with a physical address in the Downtown Business District are permitted to reserve space contiguous to their business for the purpose of sales/vending consistent with their business needs. The space may not be continuously occupied for more than 10 consecutive hours. Sale or lease to a 3rd party within City ROW is prohibited.

(c) Approval of Application. The Transportation Operations Superintendent shall determine compliance with the above criteria for the ~~hooding, covering or removal~~ reservation of any parking ~~meterspace~~, and upon approval of the application therefor and payment of the appropriate fee, shall authorize the required parking ~~meterspace~~ to be ~~hooded or removed~~ reserved in accordance with the application as approved. ~~Upon the hooding or covering of the face of any parking meter, such meter need not be placed in operation by the deposit of a coin otherwise required by this~~

236 ~~article.~~

237 (d) Exceptional Cases. Exceptions to the rules and regulations and payment of  
238 required fees may be made in appropriate cases involving special circumstances not  
239 covered by this section upon an application and a showing that the hooding or removal  
240 of any parking meter serves the public convenience and safety, and is in harmony with  
241 the other provisions of this code; provided, that such exceptions shall be approved in  
242 advance by the Director of Public Works.

243 (e) Time of Filing Application. The application for a permit shall be made in  
244 writing and filed at least 12 hours in advance of the time any parking meter is to be  
245 hooded or removed; provided, that this requirement may be waived by the  
246 Transportation Operations Superintendent in emergency situations where public safety  
247 is at risk.

248 (f) Form of Application. The application for a permit under this section shall be  
249 on a form prepared by the Transportation Operations Superintendent. The failure or  
250 refusal of any applicant to furnish information requested in such application shall be  
251 sufficient grounds for denial by the Transportation Operations Superintendent. The  
252 application shall show:

253 (1) The name and business of the applicant;

254 (2) The reason for the ~~hooding or removal~~reservation of the parking  
255 ~~meters~~space;

256 (3) Evidence that a permit for the encumbering of any street has been  
257 issued by the Building Inspection Division, if applicable;

258 (4) The location and number of parking ~~meters~~spaces desired to be

~~hooded or removed~~reserved and the day or dates and the hours such  
~~meters~~spaces are to be ~~hooded or removed~~reserved; and

(5) Such other information as may be required in such application form. If  
the Transportation Operations Superintendent finds from the application that the  
proposed use of a ~~meter hood~~reserved space will be consistent on a yearly  
basis, then the Transportation Operations Superintendent may grant a permit on  
a month-to-month basis.

(g) Exhibit of Permit. In all cases, any permit issued under this section shall be  
kept by the permittee or his agent at the location of the parking ~~meters~~spaces  
authorized to be ~~hooded or removed~~reserved, and shall be exhibited to any officer or  
employee of the City upon demand.

(h) Issuance – Duties of City Officer. When an application for a permit has been  
approved, authorized employees of the City Transportation Operations Division shall  
cause the designated parking ~~meters~~spaces to be ~~hooded~~reserved with appropriate  
signage in accordance with the permits; and such employees shall remove the ~~covers~~  
~~and return such covers to the custody of the Transportation Operations~~  
~~Superintendents~~signage at the expiration of the time limit as noted on the permit. If a  
meter is removed, it shall be removed by or under the direction of the Transportation  
Operations Superintendent so that the maximum amount of material may be salvaged.

(i) Fees. The Transportation Operations Superintendent may establish daily  
~~meter hood~~reserved space permit rates within the minimum and maximum ranges of  
\$6.00 and \$30.00. There shall be no permit fee imposed for Sundays or Saturdays.  
Each applicant shall pay the required fee per ~~meter~~parking space when any portion of

the parking space ~~controlled by the meter~~ is used by the applicant or reserved under a permit granted as provided for in this section. Under no circumstances will the permit fee or any portion thereof be refunded to any applicant. All fees received under this section shall be deposited with the City Treasurer to the credit of the parking fund of the City.

(j) Termination of Permit. Notwithstanding anything in this section to the contrary, the Transportation Operations Superintendent shall have the right to unilaterally terminate a permit granted pursuant to this section.

Section 9. That section 10.60.230, Unlawful use of or interference with hooded meters, of The Code of the City of Topeka, Kansas, is hereby amended to read as follows:

**Unlawful use of or interference with ~~hooded meters~~reserved parking spaces.**

(a) It shall be unlawful for any person, other than a person having a valid permit issued under authority of the provisions of TMC 10.60.220, any authorized agents, employees or servants to park or stand any vehicle in the reserved parking space adjacent to any parking meter ~~hooded or removed in compliance with this article~~.

(b) It shall be unlawful for any unauthorized person to remove any parking meter or to cover or hood any parking meter, or to remove, tamper with, damage or destroy any official parking meter cover, ~~or hood~~ or parking related signage of the City, or for any person to have possession of any cover, hood or other device designed for the purpose of masking, covering, reserving or hooding any parking meter contrary to the provisions of TMC 10.60.220.

306           Section 10. That original § 10.05.010, § 10.60.320, § 10.60.330, § 10.60.340, §  
307 10.60.150, § 10.60.160, § 10.60.200, § 10.60.220 and § 10.60.230 of The Code of the  
308 City of Topeka, Kansas, are hereby specifically repealed.

309           Section 11. This ordinance shall take effect and be in force from and after its  
310 passage, approval and publication in the official City newspaper.

311           Section 12. This ordinance shall supersede all ordinances, resolutions or rules,  
312 or portions thereof, which are in conflict with the provisions of this ordinance.

313           Section 13. Should any section, clause or phrase of this ordinance be declared  
314 invalid by a court of competent jurisdiction, the same shall not affect the validity of this  
315 ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

316           PASSED AND APPROVED by the City Council on \_\_\_\_\_.

317  
318 CITY OF TOPEKA, KANSAS

319  
320  
321  
322  
323 \_\_\_\_\_  
Michael A. Padilla, Mayor

324 ATTEST:

325  
326  
327  
328 \_\_\_\_\_  
329 Brenda Younger, City Clerk

1 RESOLUTION NO. \_\_\_\_\_

2  
3 A RESOLUTION introduced by City Manager Dr. Robert M. Perez to continue free  
4 parking through 2025, commencing and resuming metered parking on  
5 certain downtown streets in 2026.  
6

7 WHEREAS, for a variety of reasons including construction and a global pandemic,  
8 free parking has been allowed downtown on the 100 blocks off of Kansas Avenue (east and  
9 west) between 6<sup>th</sup> Avenue and 10<sup>th</sup> Street since 2017; and

10 WHEREAS, there has been a significant decline in parking revenue for several years  
11 ; and

12 WHEREAS, amendments to ordinances regulating parking downtown now allow for  
13 metered parking on Kansas Avenue between 6<sup>th</sup> Avenue and 10<sup>th</sup> Street.

14 NOW, THEREFORE, BE IT RESOLVED, BY THE GOVERNING BODY OF THE  
15 CITY OF TOPEKA, KANSAS, that the City Manager is directed to facilitate the removal of  
16 the parking hoods and restore enforcement of metered parking located on the 100 blocks  
17 off of Kansas Avenue (east and west) between 6<sup>th</sup> Avenue and 10<sup>th</sup> Street and to  
18 implement metered parking on Kansas Avenue between 6<sup>th</sup> Avenue and 10<sup>th</sup> Street as  
19 allowed by ordinance commencing January 1, 2026.

20 ADOPTED and APPROVED by the Governing Body on \_\_\_\_\_.

21 CITY OF TOPEKA, KANSAS  
22  
23  
24

25 \_\_\_\_\_  
26 Michael A. Padilla, Mayor

27 ATTEST:  
28  
29  
30

31 \_\_\_\_\_  
32 Brenda Younger, City Clerk



**City of Topeka  
Policy &  
Finance  
Committee**

620 SE Madison St.  
Topeka, Kansas 66603  
[www.topeka.org](http://www.topeka.org)

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**DATE:** May 14, 2025

**CONTACT PERSON:** Amanda Stanley, City Attorney

**SUBJECT:** Claims made by the City of Topeka

**PROJECT #:**

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**DOCUMENT DESCRIPTION:**

Proposed Ordinance concerning claims made by the City of Topeka authorizing the City Attorney to initiate lawsuits up to \$35,000.

**ATTACHMENTS:**

Presentation  
Ordinance



CITY OF  
**TOPEKA**



# Proposed Ordinance Authorizing Filing Lawsuits On the City's Behalf For Damage to City Property

Presented By: Geoffrey Lydick



# What does the proposed ordinance say?

2

- The City Attorney shall have the authority to initiate, file and prosecute a civil lawsuit, in the name of and on behalf of the City, without the need of obtaining a resolution or ordinance authorizing said lawsuit from the Governing Body, so long as the initial damages claimed by the City do not exceed \$35,000.00 at the time of filing.



# Why is the Proposed Ordinance needed?

3

- Without some sort of authorization, be it a resolution, an ordinance authorizing a specific lawsuit, or a proposed ordinance such as the one we are discussing today, a lawsuit filed on behalf of and in the name of the City, would likely be dismissed.
  - See *City of Topeka v. Imming*, 51 Kan. App. 2d 247, 252, 344 P.3d 957, 962 (2015).



# What are the Benefits of Adopting the Ordinance?

4

## **Timeliness/Speed**

- It is foreseeable that Litigation is informed of matter with only days to take appropriate action, and there is not time to request an ordinance or resolution before the statute of limitations runs.
  - Example: IT notifies legal on May 21, 2025 (the third Wednesday of the month) that a City Fiber optics cable was sliced by a contractor, and cost \$10,000.00 to repair. IT would like Litigation to look at pursuing the contractor to recoup the money. On Thursday, May 22nd, IT gets the relevant documents, photos, and supporting evidence over to Litigation. The damage happened on May 26, 2023. Negligence has a two-year statute of limitations, which would expire Monday, May 26, 2025. If the lawsuit isn't filed by then, the City's claims are barred. We would have to seek a special session for approval either Friday, May 23, or before end of day Monday, May 26th, assuming a quorum could be obtained. If we could not get a quorum, the City would lose its ability to file the lawsuit.



## Strategic

- By not having to disclose each matter before filing, defendants would no longer receive a preview or heads up that a lawsuit was coming, and the general subject matter of such.

## Efficiency

- Approving the Proposed Ordinance would give the Governing Body Member as well as staff, more time as they would no longer have to prepare, hear, and vote on ordinances or resolutions authorizing lawsuits under \$35,000.00.



# What kinds of matters would be covered under the proposed ordinance?

6

- The matters that we would be pursuing would be for the recovery resulting from damage to City property.
  - Most common examples:
    - A contractor digs without calling in locates and strikes a water/sewer line;
    - A driver knocks down a streetlight or street sign, and their insurance company disputes liability;
    - Someone crashes a vehicle into a City vehicle causing damage; or
    - Someone crashes a vehicle into some other City property.



Questions?



(Published in the Topeka Metro News \_\_\_\_\_)

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE introduced by City Manager Dr. Robert M. Perez, concerning claims made by the City, authorizing the City Attorney to initiate lawsuits up to \$35,000, creating § 3.35.070 of the Topeka Municipal Code.

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

Section 1. That the Code of the City of Topeka, Kansas, is hereby amended by adding a section, to be numbered 3.35.070, which said section reads as follows:

**Claims made by the City.**

The City Attorney shall have the authority to initiate, file, and prosecute a civil lawsuit, in the name of and on behalf of the City, without the need of obtaining a resolution or ordinance authorizing said lawsuit from the Governing Body, so long as the initial damages claimed by the City do not exceed \$35,000.00 at the time of filing.

Section 2. This ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper.

Section 3. This ordinance shall supersede all ordinances, resolutions or rules, or portions thereof, which are in conflict with the provisions of this ordinance.

Section 4. Should any section, clause or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of this ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

PASSED AND APPROVED by the Governing Body on \_\_\_\_\_.

CITY OF TOPEKA, KANSAS

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Michael A. Padilla, Mayor

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ATTEST:

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Brenda Younger, City Clerk