

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0339 05/06/27 PM 12:42:32

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Marilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
<u>Lloyd Fields</u>	<u>7500 E. 110th Street, Kansas City, MO 64134</u>
<u>Rodney Williams</u>	<u>1104 W. 101st Terrace Apt. C, Kansas City, MO 64114</u>
<u>Tex Sample</u>	<u>4219 N. Jarboe CT., Kansas City, MO 64116</u>
<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

I Sandra Hayes, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
	04/07/2015	3514 WOODLAND KCMO	64109	GLENDA F. JOHNSON
	04/07/2015	3514 WOODLAND ICC MUY.	64109	ERNESTEAN JOHNSON
	4/2/15	3525 Highland	64109	Debra Woods Howe
	4/6/15	3527 Forest Ave	64109	Jo Crain
	4/7/15	3036 PASSEO Blvd	64109	Charles A. Williams
	4/7/15	3517 Virginia Ave	64109	Ellen Pajor
	4/7/15	3517 Virginia Ave	64109	Carolyn Pajor
	4/7/15	3934 Forest	64110	ARVERN HUGHES
	7 APR 15	1319 E. 40 th ST	64116	Cliff Burnap
	4-7-15	3934 Forest Ave	64110	TRACY L

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Circulator's Signature

Subscribed and sworn to before me this 7 day of April, 2015

(NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

①

~~I have been thinking about you a lot~~

~~and wondering how you are getting on~~

~~and how much you are enjoying your time~~

~~at school. I hope you are all well~~

~~and that you are all happy~~

~~and that you are all doing well~~

~~in your studies. I hope you are all~~

~~enjoying your time at school~~

~~and that you are all well~~

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

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Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

I, SANDORA Hayes, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Willis Hughes</u>	<u>4/7/15</u>	<u>3722 Michigan</u>	<u>64109</u>	<u>Willis Hughes</u>
<u>Maxine Turner</u>	<u>4/7/15</u>	<u>4037 Poseo Blvd</u>	<u>64110</u>	<u>Maxine Turner</u>
<u>Colleen P. Simon</u>	<u>4/7/15</u>	<u>3836 Forest Ave, KCMO</u>	<u>64109</u>	<u>COLLEEN P. SIMON</u>
<u>Martinez</u>	<u>4/7/15</u>	<u>3916 MANNING</u>	<u>64110</u>	<u>MARTINIZ DENSONSON</u>
<u>Oscar S. Johnson Jr.</u>	<u>4/7/15</u>	<u>3523 Forest Ave, KC Mo</u>	<u>64109</u>	<u>Oscar S. Johnson Jr.</u>
<u>Sarah Cecil</u>	<u>4/7/15</u>	<u>3839 Virginia</u>	<u>64109</u>	<u>Sarah Cecil</u>
<u>Emmanuel Opara</u>	<u>4/7/15</u>	<u>3633 Wayne Av</u>	<u>64109</u>	<u>Emmanuel Opara</u>
<u>Elizabeth Johnson</u>	<u>4/7/15</u>	<u>3627 Wayne Ave</u>	<u>64109</u>	<u>Elizabeth Johnson</u>
<u>Eric Graves</u>	<u>4/7/15</u>	<u>3607 Wayne</u>	<u>64109</u>	<u>Eric Graves</u>
<u>John Bajor</u>	<u>4/7/15</u>	<u>3517 Virginia</u>	<u>64109</u>	<u>John M. Bajor</u>

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Sandra Hayes
Circulator's Signature

Subscribed and sworn to before me this 24 day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

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B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

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tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

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A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

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SECTION 9 - SEVERABILITY.

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SECTION 11 - PROCEDURE.

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SECTION 12 - EFFECTIVE DATE.

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Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
 County of Jackson)

I, SAYN PIZA Hayes, being duly sworn, under oath state that the following person, to wit:
 Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>[Signature]</i>	04/07/15	3929 Forest	64110	Heber K Tony
<i>[Signature]</i>	4/7/15	4032 Paseo Blvd	64110	John Hundley
<i>[Signature]</i>	4-7-15	1603 E. 37th St	64109	Cheryl Mitchell
<i>[Signature]</i>	4-7-15	3904 Manheim Rd	64110	Tamra Miller
<i>[Signature]</i>	4/7/15	3909 Manheim Rd	64110	Kiley Bush
<i>[Signature]</i>	4/7/15	3819 Paseo Blvd	64109	Alicia Black-Moore
<i>[Signature]</i>	4/7/15	2539 Harrison	64108	Gabrielle Yarbrough
<i>[Signature]</i>	4/7/15	3922 Paseo Blvd	64110	Gina Coffman
<i>[Signature]</i>	4/7/15	3527 Paseo	64109	FRANINE Nelson
<i>[Signature]</i>	4/7/15	3640 Tracy	64109	Jonathan Bisby

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

[Signature]
 Circulator's Signature

Subscribed and sworn to before me this 6th day of April, 2015

[Signature]
 (NOTARY PUBLIC)

[SEAL]

PAMELA C. McDONALD
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Jackson County
 My Commission Expires: 5/22/2017
 Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0342 05/06/27 PM 12:43:03

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
Lloyd Fields	7500 E. 110 th Street, Kansas City, MO 64134
Rodney Williams	1104 W. 101 st Terrace Apt. C, Kansas City, MO 64114
Tex Sample	4219 N. Jarboe CT., Kansas City, MO 64116
Wallace S. Hartsfield	2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

I, SHAVONDA R. FEITON, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>Alice Morton</i>	4-7-15	4033 MOULTBAIN	64110	ALICE MORTON
<i>Sheila K Davis</i>	4-7-15	3911 College Ave	64130	Sheila K. Davis
<i>Shavonda R. Feiton</i>	4/7/15	GREGG TABERNACLE	64110	SHAVONDA R. FEITON
<i>Doris J. Howard</i>	4/7/15	3922 Antab Rd	64130	DORIS J. HOWARD
<i>Lisa C. McKenzie</i>	4/7/15	3909 College	64130	Lisa C. McKenzie
<i>Alexa McKenzie</i>	4/7/15	3909 College	64130	Alexa McKenzie
<i>Cheryl Branson</i>	4-7-15	4330 Agnes	64130	Cheryl Branson
<i>Francis Brown</i>	4-7-15	Indians	64130	FRANCIS BROWN
<i>Leroy Rivers</i>	4-7-15	4016 Chestnut	64130	LEROY RIVERS
<i>Ollie Riser</i>	4-7-15	2610 E. 40 th	64130	OLLIE RISER

I signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Shavonda R. Feiton
Circulator's Signature

Subscribed and sworn to before me this 4th day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

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WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

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WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

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A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

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tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

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A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

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SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

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Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
Lloyd Fields	7500 E. 110 th Street, Kansas City, MO 64134
Rodney Williams	1104 W. 101 st Terrace Apt. C, Kansas City, MO 64114
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Wallace S. Hartsfield	2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

I, Jerrey Long, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Artholb Rose</u>	<u>4/7/15</u>	<u>3729 Mersington</u>	<u>64128</u>	<u>Artholb Rose</u>
<u>Barbara Johnson</u>	<u>4/7/15</u>	<u>3343 S. Benton Kcmo</u>	<u>64128</u>	<u>Barbara Johnson</u>
<u>Carole M. Johnson</u>	<u>4/7/15</u>	<u>3345 S. Benton Kcmo</u>	<u>64128</u>	<u>Carole M. Johnson</u>
<u>Jackson Sumpter</u>	<u>4-7-15</u>	<u>3523 MONACAR</u>	<u>64128</u>	<u>JACKSON L. Sumpter</u>
<u>ainuk west</u>	<u>4.7.15</u>	<u>3239 Wabash</u>	<u>64128</u>	<u>ainuk west</u>
<u>Gwen Turner</u>	<u>4-7-15</u>	<u>3426 Paseo</u>	<u>64109</u>	<u>Gwen Turner</u>
<u>Erudone Moore</u>	<u>4-7-15</u>	<u>3429 Olive</u>	<u>64109</u>	<u>ERUDONE MOORE</u>
<u>Mary Hank</u>	<u>4-7-15</u>	<u>3210 Black</u>	<u>64115</u>	<u>MARY HANK</u>
<u>Theresa A. Bishop</u>	<u>4/7/15</u>	<u>2803 E 33rd st</u>	<u>64112</u>	<u>Theresa A Bishop</u>
<u>Benita Sanders</u>	<u>4/7/15</u>	<u>3311 Flora K.C.MO</u>	<u>64109</u>	<u>Benita Sanders</u>

I signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Jerrey Long
Circulator's Signature

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

Subscribed and sworn to before me this 7 day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC)

[SEAL]

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8 - PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

To: Mayor and Council City of Kansas City, Missouri &
 The Honorable Marilyn Sanders
 City Clerk of Kansas City, Missouri
 25th Floor, City Hall
 414 East 12th Street
 Kansas City, Missouri 64106

Phone: (816) 513-3360
 Fax: (816) 513-3353
 E-mail: Marilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
Lloyd Fields	7500 E. 110 th Street, Kansas City, MO 64134
Rodney Williams	1104 W. 101 st Terrace Apt. C, Kansas City, MO 64114
Tex Sample	4219 N. Jarboe CT., Kansas City, MO 64116
Wallace S. Hartsfield	2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
 County of Jackson)

Frederick Crawford, being duly sworn, under oath state that the following person, to wit:
 Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>[Signature]</i>	4-7-15	2938 E 28 St	64128	Vernalisa Glasco
<i>[Signature]</i>	4-7-15	2435 Myrtle Ave	64127	Jackie L. Cheadle
<i>[Signature]</i>	4-7-15	2435 Myrtle Ave	64127	LEE T. CHEADLE JR
<i>[Signature]</i>	4-7-15	2625 Benton Blvd	64127	Ronald E. Daigle
<i>[Signature]</i>	4-7-15	2449 Benton Blvd	64127	CORA R. McFay
<i>[Signature]</i>	4-7-15	3411 E. 25th St.	64127	Esther P. Price
<i>[Signature]</i>	4-7-15	3411 E 25th	64127	KENNETH W. RICE
<i>[Signature]</i>	4-7-15	3421 East St	64127	Howard L Chase Jr
<i>[Signature]</i>	4-7-15	4724 Wident Ct	64126	Nymagic Baker
<i>[Signature]</i>	4-7-15	2628 Agnes St	64127	Eric Handberg
<i>[Signature]</i>	4-7-15	2509 College Ave	64127	Mikayla Green

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Frederick Crawford
 Circulator's Signature

Subscribed and sworn to before me this April day of April, 2015

Pamela C. McDonald
 (NOTARY PUBLIC)

PAMELA C. McDONALD
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Jackson County
 My Commission Expires: 5/22/2017
 Commission # 13504912

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tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

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A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0345 05/06/2015 PM 12:43:18

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

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<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
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Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

William J Smith, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>James Spears</u>	<u>4-7-15</u>	<u>1804 Myrtle</u>	<u>64127</u>	<u>James Spears</u>
<u>Alma Davis</u>	<u>4-7-15</u>	<u>1808 E. 18th P</u>	<u>64127</u>	<u>Alma Davis</u>
<u>Carolyn Spears</u>	<u>4/7/15</u>	<u>1804 Myrtle</u>	<u>64127</u>	<u>CAROLYN SPEARS</u>
<u>Kristy Mitchell</u>	<u>4/7/15</u>	<u>3813 E. 18th P</u>	<u>64127</u>	<u>Kristy Mitchell</u>
<u>Janelle Strozier</u>	<u>4-7-15</u>	<u>3813 Bernard Powell Dr</u>	<u>64127</u>	<u>Janelle Strozier</u>
<u>Devin Strozier</u>	<u>4/7/15</u>	<u>3813 Bernard Powell</u>	<u>64127</u>	<u>Devin Strozier</u>
<u>Nathaniel Johnson</u>	<u>4/7/15</u>	<u>2528 BRISHTON</u>	<u>64127</u>	<u>NATHANIEL JOHNSON</u>
<u>Willie D. Dykes</u>	<u>4/7/15</u>	<u>1913 Myrtle Ave</u>	<u>64127</u>	<u>Willie D. Dykes</u>
<u>Maureen Dykes</u>	<u>4/7/15</u>	<u>1913 Myrtle Ave</u>	<u>64127</u>	<u>MAUREEN DYKES</u>
<u>Elizabeth R. Coleman</u>	<u>4/7/15</u>		<u>64127</u>	<u>ELIZABETH R. COLEMAN</u>

I signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

William J Smith
Circulator's Signature

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

Subscribed and sworn to before me this 7th day of April, 2015.

Pamela C. McDonald
(NOTARY PUBLIC) [SEAL]

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B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0346 05/06/2017 PM 12:43:22

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
Lloyd Fields	7500 E. 110 th Street, Kansas City, MO 64134
Rodney Williams	1104 W. 101 st Terrace Apt. C, Kansas City, MO 64114
Tex Sample	4219 N. Jarboe CT., Kansas City, MO 64116
Wallace S. Hartsfield	2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

I William J. Smith, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>Paul Edward Scott</i>	4/7/15	3913 E 18th Ct	64127	PAUL EDWARD SCOT
<i>Christen Evans</i>	4/7/15	2244 Spruce Ave	64127	Christen Evans
<i>Stan Peoples</i>	4/7/15	1800 Myrtle Ave	64127	Stan Peoples
<i>Royce Turner</i>	4/7/15	2024 Spruce Ave	64127	ROYCE TURNER
<i>Ruth Turner</i>	4/7/15	"	"	Ruth Turner
<i>Leolis Washburn</i>	4/7/15	4502 E 16th St	64127	Leolis Washburn
<i>Robert Perry</i>	4-7-15	3800 E 18th Ct	64127	ROBERT PERRY JR.
<i>Brianne McDonald</i>	4/7/15	1600 WACKERSON th	64127	BRIANNE McDONALD
<i>Daryl Switke</i>	4/7/15	4012 E. 18th Pl	64127	Daryl Switke

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

William J. Smith
Circulator's Signature

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

Subscribed and sworn to before me this 6 day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC) [SEAL]

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

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SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

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SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

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A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

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This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.



It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0347 05/06/2017 PM 12:43:26

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
<u>Lloyd Fields</u>	<u>7500 E. 110th Street, Kansas City, MO 64134</u>
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<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

Curtis A. Woodgett
Circulator's Printed Name

I, Curtis A. Woodgett, being duly sworn, under oath state that the following person, to wit:

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>Quellen</i>	4/8/15	5820 Wayne KCMO.	64110	Quellen
<i>Mattie F. Williams</i>	4/7/15	5828 Wayne K.C.	64110	Mattie F. Williams
<i>Zeal Banks</i>	4/7/15	6023 Michigan Ave	64130	Zeal Banks
<i>Eric O. Spencer</i>	4/7/15	1627 Citadel Dr Apt 95	64110	Eric O. Spencer
<i>Dorah A. Spencer</i>	4/7/15	1627 Citadel Dr Apt. 95	64110	Dorah A. Spencer
<i>E. M. Butts</i>	4-7-15	5800 Park Ave	64130	E. M. Butts
<i>Phillip Cole</i>	4-7-15	5708 Lydia	64110	Phillip Cole
<i>Leighon Mason</i>	4-7-15	1030 Exelid Ave	64130	Leighon Mason
<i>Isaiah Freeman</i>	4-7-15	6031 Park	64130	Isaiah Freeman
<i>Janis Williams</i>	4-7-15	1306 E. 62nd St	64110	Janis Williams

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Pamela C. McDonald
Circulator's Signature

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

Subscribed and sworn to before me this 4 day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC) [SEAL]

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

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(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

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SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

7

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0348 05/06/2015 PM 12:43:31

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
Lloyd Fields	7500 E. 110 th Street, Kansas City, MO 64134
Rodney Williams	1104 W. 101 st Terrace Apt. C, Kansas City, MO 64114
Tex Sample	4219 N. Jarboe CT., Kansas City, MO 64116
Wallace S. Hartsfield	2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

Curtis A. Woods

Circulator's Printed Name

being duly sworn, under oath state that the following person, to wit:

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>Myron Lindsay</i>	4/7/15	6022 Euclid	64130	MYRON LINDSAY
<i>Valerie Blackwell</i>	4/7/15	5832 Michigan	64130	Valerie Blackwell
<i>William A Blackwell</i>	4/7/15	5832 Michigan	64130	WILLIAM A BLACKWELL
<i>Ellis R. White</i>	4/7/15	1803 E 60TH TERR	64130	ELLIS R. WHITE
<i>Joyce H. Foster</i>	4/7/15	6001 PARK AVE	64130	Joyce H. Foster
<i>Pat Moss</i>	4/7	6196 Blue Hills	64110	Pat Moss
<i>Mable Gray</i>	4/7	5718 Olive K. MO	64130	Mable Gray
<i>Charles White</i>	4/7	5810 HIGHLAND KE MO	64110	CHARLES WHITE
<i>RiShanada Bowman</i>	4/7	1710 E 59 th Terr KCMO	64110	RiShanada Bowman
<i>Evelyn Archie</i>	4/7	6015 Woodland Ken	64110	Evelyn Archie

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Circulator's Signature

Pamela C. McDonald
PAMELA C. McDONALD
(NOTARY PUBLIC)

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County

My Commission Expires: 5/22/2017
Commission # 13504912

Subscribed and sworn to before me this 6 day of April, 2015

(SEAL)

Mathematics

Algebra

1. Solve the equation $2x + 5 = 15$.

2. Simplify the expression $3x^2 + 4x - 7 + 2x^2 - 5x + 9$.

3. Factorize the quadratic expression $x^2 - 5x + 6$.

Geometry

1. Calculate the area of a rectangle with length 8 cm and width 5 cm.

2. Find the perimeter of a square with side length 6 cm.

3. Determine the volume of a cube with side length 4 cm.

4. A right-angled triangle has a hypotenuse of 10 cm and one leg of 6 cm. Find the length of the other leg.

5. Two parallel lines are intersected by a transversal. One of the corresponding angles is 70° . Find the other corresponding angle.

6. A circle has a radius of 5 cm. Calculate its circumference.

7. A sector of a circle with a radius of 7 cm and a central angle of 60° is shown. Find the area of the sector.

8. A straight line is divided into three parts by a point. The lengths of the parts are 2 cm, 3 cm, and 5 cm. Find the total length of the line.

9. A regular hexagon has a side length of 4 cm. Calculate its area.

10. A right-angled triangle has a hypotenuse of 13 cm and one leg of 5 cm. Find the length of the other leg.

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

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D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

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It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

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Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

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SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8 - PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

5

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0349 05/06/27 PM 12:43:36

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
Lloyd Fields	7500 E. 110 th Street, Kansas City, MO 64134
Rodney Williams	1104 W. 101 st Terrace Apt. C, Kansas City, MO 64114
Tex Sample	4219 N. Jarboe CT., Kansas City, MO 64116
Wallace S. Hartsfield	2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)

County of Jackson

Curtis A. Woods being duly sworn, under oath state that the following person, to wit:

Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>Shantasha Nelson</i>	4-7-15	6005 Michigan Ave	64130	Shantasha Nelson
<i>Ruby J Brown</i>	4-7-15	1212 E. 59 th St.	64110	Ruby J. Brown
<i>Shirlean Burt</i>	4-7-15	1905 E 59 th St	64130	SHIRLEAN BURT
<i>Ebony Bann</i>	4-7-15	6005 Woodland	64110	Ebony Bann
<i>Sarah Newton</i>	4-7-15	2001 E 60 th St	64130	Sarah Newton
<i>David Wilborn</i>	4-7-15	5821 Tracy	64110	DAVID RWILBORN
<i>John E. Dieter</i>	4-7-15	5832 FOREST AVE.	64110	JOHN DIETER
<i>Veretta Conners</i>	4-7-15	6010 Highland Ave	64110	Veretta Conners
<i>Louise Arterbery</i>	4-7-15	2001 E. 60 th St	64130	LOUISE ARTERBERY
<i>Karl Arterbery</i>	4/7/15	2001 E 60 th	64130	KARL S ARTERBERY

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Circulator's Signature

Pamela C. McDonald
(NOTARY PUBLIC)

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County

My Commission Expires: 5/22/2017
Commission # 13504912

Subscribed and sworn to before me this 7th day of April, 2015

[SEAL]

6

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0350 05/06/27 PM 12:43:40

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106
Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

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The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

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- Lloyd Fields 7500 E. 110th Street, Kansas City, MO 64134
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- Tex Sample 4219 N. Jarboe CT., Kansas City, MO 64116
- Wallace S. Hartsfield 2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

I, Curtis A. Woods III, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Johnny Jones</u>	<u>7 April 15</u>	<u>6107 Paseo Blvd Kcmo</u>	<u>64110</u>	<u>[Signature]</u>
<u>Melissa Ramsey</u>	<u>7 April 15</u>	<u>1601 E 18th St #320F</u>	<u>64108</u>	<u>[Signature]</u>
<u>Grace Jones</u>	<u>4/15</u>	<u>5736 PASEO</u>	<u>64110</u>	<u>GRACE JONES</u>
<u>William H Parkerson</u>	<u>4-15</u>	<u>6027 Michigan Ave</u>	<u>64130</u>	<u>William H Parkerson</u>
<u>Sharon A Thomas</u>	<u>4-15</u>	<u>5704 Lydia Ave</u>	<u>64110</u>	<u>Sharon A Thomas</u>
<u>Carol Ann Allen</u>	<u>4/15</u>	<u>5735 OLIVE ST. KC, MO</u>	<u>64130</u>	<u>Carol Ann Allen</u>
<u>Yvonne Ferguson</u>	<u>4/17</u>	<u>1632 Bushman St KC MO</u>	<u>64110</u>	<u>Yvonne Ferguson</u>
<u>Zina Ransom</u>	<u>4/7</u>	<u>5807 Wabash</u>	<u>64130</u>	<u>Zina Ransom</u>
<u>Danyl Malib</u>	<u>4/7</u>	<u>2000 E. 60th St Kcmo</u>	<u>64130</u>	
<u>Anita L. Malibia</u>	<u>4/7</u>	<u>2000 E. 60th St.</u>	<u>64130</u>	<u>ANITA L. MALIBIA</u>

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

[Signature]
Circulator's Signature

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

Subscribed and sworn to before me this 7 day of April, 2015
[Signature]
(NOTARY PUBLIC) [SEAL]

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0351 05/06/2015 PM 12:43:43

To: Mayor and Council City of Kansas City, Missouri &
 The Honorable Marilyn Sanders
 City Clerk of Kansas City, Missouri
 25th Floor, City Hall
 414 East 12th Street
 Kansas City, Missouri 64106

Phone: (816) 513-3360
 Fax: (816) 513-3353
 E-mail: Mayilyn.Sanders@kcmo.org

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State of Missouri)
 County of Jackson)

Curtis A. Woods
 Circulator's Printed Name

I, Curtis A. Woods, being duly sworn, under oath state that the following person, to wit:

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>Deborah D. Jones</i>	4/7/15	2002 E. 61 st Ter	64130	Deborah D. Jones
<i>Helen Jones</i>	4-7-15	6156 Blue Hill	64110	Helen Jones
<i>Laura C. Flemons</i>	4-7-15	6212 JONES AVE	64110	LAURA C. FLEMONS
<i>Alice Johnson</i>	4/7/15	5700 MCILHenny	64118	Alice JOHNSON
<i>Wilma J. King</i>	4/7/14	5732 Brooklyn	64130	Wilma J. King
<i>Arthur Jackson</i>	4/7/15	5744 Blue Hill Rd	64110	Arthur Jackson
<i>Richard Proctor</i>	4/7/15	5740 Virginia Ave	64110	Richard Proctor
<i>Debra Overton</i>	4-7-15	6002 Michigan	64130	Debra Overton
<i>Linda D. Edgely</i>	4-7-15	1501 E. 30 th KCM	64109	Linda D. Edgely
<i>Claudia Nelson</i>	4-7-15	6005 Michigan Ave KCMO	64130	Claudia Nelson

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Pamela G. McDonald
 Circulator's Signature

PAMELA G. McDONALD
 Notary Public - Notary Seal
 STATE OF MISSOURI
 Jackson County
 My Commission Expires: 5/22/2017
 Commission # 13504912

Subscribed and sworn to before me this 4th day of April, 2015

Pamela G. McDonald
 (NOTARY PUBLIC) [SEAL]

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

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B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

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D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

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B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

3

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0352 05/06/27 PM 12:43:47

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
<u>Lloyd Fields</u>	<u>7500 E. 110th Street, Kansas City, MO 64134</u>
<u>Rodney Williams</u>	<u>1104 W. 101st Terrace Apt. C, Kansas City, MO 64114</u>
<u>Tex Sample</u>	<u>4219 N. Jarboe CT., Kansas City, MO 64116</u>
<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri }
County of Jackson }

Curtiste Wood
Circulator's Printed Name

being duly sworn, under oath state that the following person, to wit:

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Barbara Williams</u>	<u>4-7-15</u>	<u>5922 Brooklyn</u>	<u>64130</u>	<u>Barbara Williams</u>
<u>Kenneth Stone</u>	<u>4-7-15</u>	<u>5741 Highland</u>	<u>64110</u>	<u>Kenneth Stone</u>
<u>Ida C Faceson</u>	<u>4/7/15</u>	<u>1746 Citadel Dr Apt 110</u>	<u>64110</u>	<u>Ida C Faceson</u>
<u>Tiskia Wright</u>	<u>4/7/15</u>	<u>6029 Brooklyn Ave</u>	<u>64130</u>	<u>Tiskia Wright</u>
<u>Angela Jackson</u>	<u>4/7/15</u>	<u>5022 Paseo</u>	<u>64110</u>	<u>Angela Jackson</u>
<u>BASIL C. OBASI</u>	<u>4/7/15</u>	<u>1515 E 59th ST, KCMO</u>	<u>64110</u>	<u>Basil Obasi</u>
<u>Patrick Kelly</u>	<u>4/7/15</u>	<u>5812 Brooklyn KCMO</u>	<u>64130</u>	<u>Patrick Kelly</u>
<u>Carolyn L House</u>	<u>4/7/15</u>	<u>5714 Highland Ave</u>	<u>64110</u>	<u>Carolyn House</u>
<u>Virginia Daub</u>	<u>4-7-15</u>	<u>5812 Brooklyn Ave</u>	<u>64130</u>	<u>Virginia Daub</u>
<u>S. Kelly</u>	<u>4-7-15</u>	<u>5812 Brooklyn Ave</u>	<u>64130</u>	<u>Susan Kelly</u>

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

[Signature]
Circulator's Signature

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

Subscribed and sworn to before me this 7th day of April, 2015

[Signature]
NOTARY PUBLIC

[SEAL]

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

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SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

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SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

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SECTION 10 - NOTICE POSTING.

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A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

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This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

2

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0353 05/06/27 PM 12:43:51

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
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Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

Curtis A. Woods II

being duly sworn, under oath state that the following person, to wit:

Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Dianna R. Bacchus</u>	4/7/15	2007 E. 60th KC, Mo.	64130	Dianna R. Bacchus
<u>Jennifer Boyd</u>	4-7-15	1900 E. 61 Ter KCMO	64130	Jennifer Boyd
<u>Emily Horak</u>	4-7-15	5717 Tracy Ave KCMO	64110	Emily Horak
<u>D. King</u>	4-7-15	2002 E 60th Ter	64130	D. King
<u>Alexander King</u>	4-7-15	2002 E. 60th Ter	64130	Alexander King
<u>Demonte Rochester</u>	4-7-15	8212 TRUST APT#4	64135	Demonte Rochester
<u>Sidney G. Kelly</u>	4/7/15	5817 Bluehills Rd	64110	Sidney G. Kelly
<u>Melissa Horak-Hern</u>	4/7/15	5731 Tracy	64110	Melissa Horak-Hern
<u>Jonathan Swinton</u>	4-7-15	6024 Virginia	64110	JONATHAN SWINTON
<u>Kimberly Swinton</u>	4-7-15	6024 Virginia	64110	Kimberly Swinton

I signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Circulator's Signature

Pamela C. McDonald
NOTARY PUBLIC

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

Subscribed and sworn to before me this 27 day of April, 2015

[SEAL]

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

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WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

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A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0354 05/06/27 PM 12:43:56

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Marilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
<u>Lloyd Fields</u>	<u>7500 E. 110th Street, Kansas City, MO 64134</u>
<u>Rodney Williams</u>	<u>1104 W. 101st Terrace Apt. C, Kansas City, MO 64114</u>
<u>Tex Sample</u>	<u>4219 N. Jarboe CT., Kansas City, MO 64116</u>
<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

I, CLAYTON ADAMS JR, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Michelle Colena</u>	<u>4/7/15</u>	<u>4839 3925 Highway 28</u>	<u>64110</u>	<u>Michelle S. Colena</u>
<u>Shannon Johnson</u>	<u>4/7/15</u>	<u>3071 Wayne Kcmo</u>	<u>64109</u>	<u>Shannon Johnson</u>
<u>James A. Dunn</u>	<u>4/7/15</u>	<u>3908 Forest</u>	<u>64110</u>	<u>JAMES A. DUNN</u>
<u>Phil Dorn</u>	<u>4/7/15</u>	<u>3908 Forest</u>	<u>64110</u>	<u>PHIL DORN</u>
<u>Marion Kelly</u>	<u>4/07/13</u>	<u>3928 Tracy</u>	<u>64110</u>	<u>MARION KELLY</u>
<u>Orissa Kelley Logan</u>	<u>4/7/15</u>	<u>3928 Tracy</u>	<u>64110</u>	<u>Orissa Kelley Logan</u>
<u>Antonia Johnson</u>	<u>4/7/15</u>	<u>3754 Flora Ave</u>	<u>64109</u>	<u>Antonia Johnson</u>
<u>Stanley Harper</u>	<u>4/7/15</u>	<u>3534 W. VANCE AVE</u>	<u>64109</u>	<u>STANLEY HARPER</u>
<u>William J Haughey</u>	<u>4/7/15</u>	<u>3702 Virginia</u>	<u>64109</u>	<u>William J Haughey</u>
<u>William J Haughey</u>	<u>4/9/15</u>	<u>3604 Forest</u>	<u>64109</u>	<u>William J Haughey</u>

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Circulator's Signature

Subscribed and sworn to before me this 7 day of April, 2015

(NOTARY PUBLIC)

[SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

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A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

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tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

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A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0355 05/06/2015 12:44:00

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
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Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

I, Greg Taylor, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Timothy Clarence Johnson</u>	<u>4-7-15</u>	<u>3512 College</u>	<u>64128</u>	<u>TIMOTHY CLARENCE JOHNSON</u>
<u>Robert W. Wiggins</u>	<u>4-4-15</u>	<u>3003 E 36th St</u>	<u>64128</u>	<u>Robert Wiggins</u>
<u>William Jordan</u>	<u>4-7-15</u>	<u>3001 E 36th St</u>	<u>64128</u>	<u>William Jordan</u>
<u>Richard M. Jordan</u>	<u>4-7-15</u>	<u>3001 E 36th St.</u>	<u>64128</u>	<u>Richard M Jordan</u>
<u>Carl A. Williams</u>	<u>4-7-15</u>	<u>3539 Benton Blvd</u>	<u>64128</u>	<u>Carl A. Williams</u>
<u>Barry P. Baker</u>	<u>4-7-15</u>	<u>3807 Montgall Ave</u>	<u>64128</u>	<u>Barry P. Baker</u>
<u>Evern Edwards</u>	<u>4-7-15</u>	<u>3518 Montgall</u>	<u>64128</u>	<u>EVERN EDWARDS</u>
<u>Annie B. Mathis</u>	<u>4-7-15</u>	<u>3816 Myrtle Ave</u>	<u>64128</u>	<u>Anne Mathis</u>
<u>EMANUEL LEGGETT</u>	<u>4-7-15</u>	<u>3916 INDIANA</u>	<u>64128</u>	<u>Emanuel Leggett</u>
<u>Deborah J. Mays</u>	<u>4-7-15</u>	<u>3916 Indiana</u>	<u>64128</u>	<u>Deborah J. Mays</u>

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

[Signature]
Circulator's Signature

Subscribed and sworn to before me this 7 day of April, 2015

[Signature]
(NOTARY PUBLIC)

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

[SEAL]

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

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This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

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(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

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(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

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D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0356 05/06/27 PM 12:44:04

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
<u>Lloyd Fields</u>	<u>7500 E. 110th Street, Kansas City, MO 64134</u>
<u>Rodney Williams</u>	<u>1104 W. 101st Terrace Apt. C, Kansas City, MO 64114</u>
<u>Tex Sample</u>	<u>4219 N. Jarboe CT., Kansas City, MO 64116</u>
<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

Cory Taylor, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Fannie R. Craft</u>	<u>4/7/15</u>	<u>3802 MYRTLE AVE</u>	<u>20428</u>	<u>FANNIE RUTH CRAFT</u>
<u>Rosie M. McGautha</u>	<u>4/7/15</u>	<u>3812 Bellefontaine</u>	<u>64128</u>	<u>Rosie M. McGautha</u>
<u>Marvin M. McGautha</u>	<u>"</u>	<u>3812 Bellefontaine</u>	<u>64128</u>	<u>Marvin M. McGautha</u>
<u>Hameed Khan</u>	<u>4/7/15</u>	<u>3236 Bellefontaine</u>	<u>64128</u>	<u>HAMEED KHAN</u>
<u>Annette Slay</u>	<u>4-7-15</u>	<u>5525 Woodland Ave</u>	<u>64110</u>	<u>Annette Slay</u>
<u>Keith McHudson</u>	<u>4-7-15</u>	<u>3839 College KCMO</u>	<u>64128</u>	<u>Keith McHudson</u>
<u>Ernestine Allen</u>	<u>4-7-15</u>	<u>" " "</u>	<u>"</u>	<u>Ernestine Allen</u>
<u>Timothy L Johnson</u>	<u>4-7-15</u>	<u>3711 E 36th Street</u>	<u>64128</u>	<u>Timothy L Johnson</u>
<u>Barbara Carpenter</u>	<u>4-7-15</u>	<u>3610 Chestnut</u>	<u>64128</u>	<u>Barbara Carpenter</u>
<u>Nina Anderson</u>	<u>4-7-15</u>	<u>3711 Vedusa</u>	<u>64128</u>	<u>Nina Anderson</u>

I signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

[Signature]
Circulator's Signature

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

Subscribed and sworn to before me this 7th day of April, 2015

[Signature]
(NOTARY PUBLIC) [SEAL]

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0357 05/06/2015 PM 12:44:09

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

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<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
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<u>Wallace S. Hartsfield</u>	<u>2843 Benton Blvd., Kansas City, MO 64128</u>

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

I, SANDRA HAYES, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Bill Drummond</u>	<u>4/7/15</u>	<u>4145 Forest Ave.</u>	<u>64110</u>	<u>Bill Drummond</u>
<u>Janae Jones</u>	<u>4/7/15</u>	<u>3625 Tracy Ave</u>	<u>64109</u>	<u>LAURA HARRIS</u>
<u>Vincent Leigh</u>		<u>8215 E. 79th Tror</u>		<u>VINCENT Leigh</u>
<u>Danna Johnson</u>	<u>4/7/15</u>	<u>3444 college</u>		<u>DANNA Johnson</u>
<u>Leslie Scott</u>	<u>4/7/15</u>	<u>3609 Virginia Ave</u>	<u>64109</u>	<u>LESLIE SCOTT</u>
<u>Monica Blair Conway</u>	<u>4/7/15</u>	<u>3925 Manheim</u>	<u>64110</u>	<u>Monica Blair Conway</u>
<u>Kevin T. Conway</u>	<u>4/7/15</u>	<u>3925 Manheim</u>	<u>64110</u>	<u>Kevin T. Conway</u>
<u>James Robinson</u>	<u>4/7/15</u>	<u>2507 Quincy</u>	<u>64127</u>	<u>James Robinson</u>
<u>Susan Lackamp</u>	<u>4/7/15</u>	<u>3909 Tracy Ave</u>	<u>64110</u>	<u>Susan Lackamp</u>
<u>Quiana Walker</u>	<u>4/7/15</u>	<u>5074 N. Oak Tracy</u>	<u>64118</u>	<u>Quiana Walker</u>

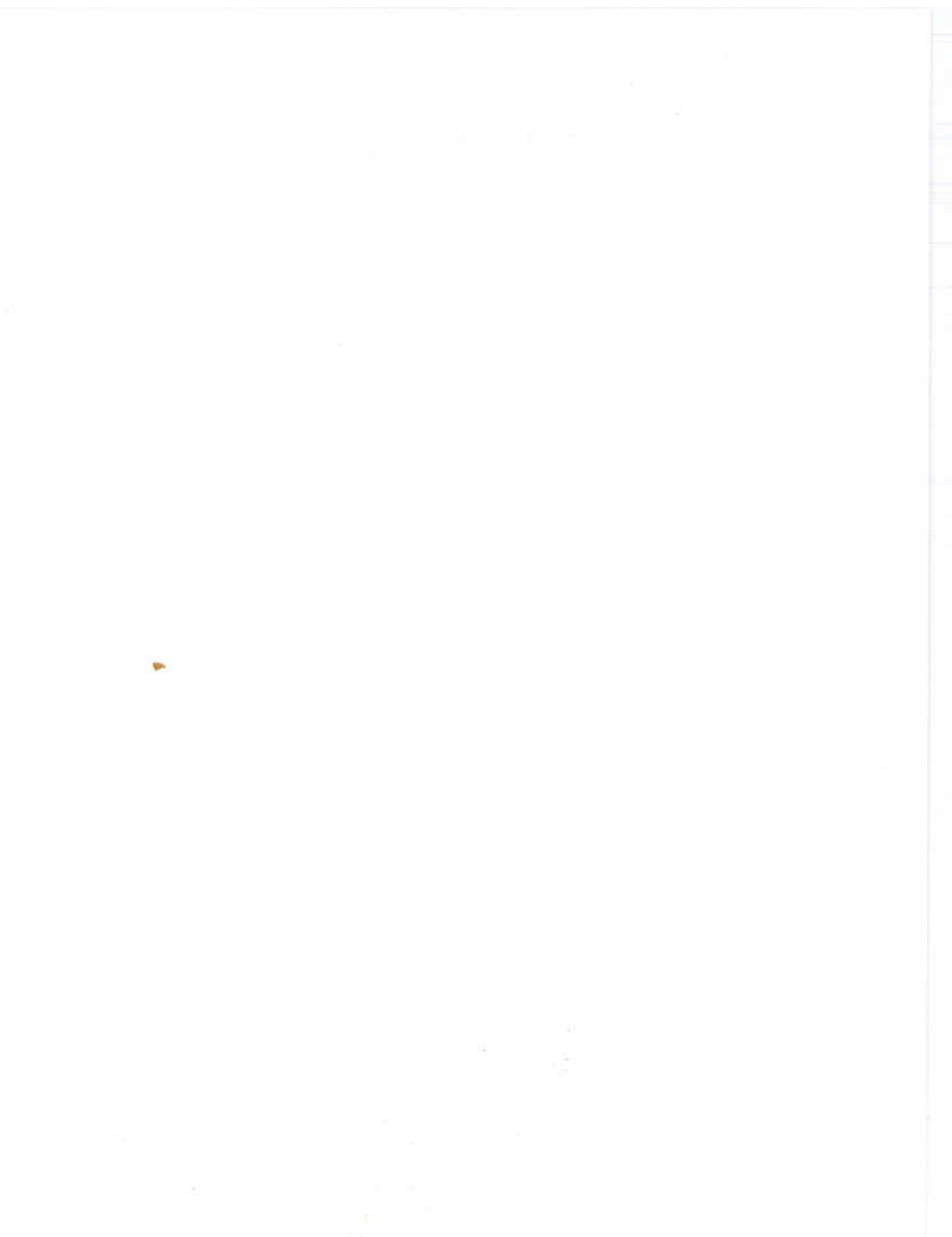
signed the foregoing petition paper and each of them signed his or her name thereon in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Sandra Hayes
Circulator's Signature

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

Subscribed and sworn to before me this April day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC) [SEAL]



ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

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SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0358 05/06/27 PM 12:44:13

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
Lloyd Fields	7500 E. 110 th Street, Kansas City, MO 64134
Rodney Williams	1104 W. 101 st Terrace Apt. C, Kansas City, MO 64114
Tex Sample	4219 N. Jarboe CT., Kansas City, MO 64116
Wallace S. Hartsfield	2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

I, Sandra Hayes, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
1. SANDY KELLY	3/7/15	3738 HIGHLAND AVE	64109	Sandy Kelly
2. Sandra Hayes	4/4/15	4228 Tracy	64110	Sandra Hayes
3. Selina O'Neal	4/6/15	3622 Virginia Ave	64109	Selina O'Neal
4. Paul B.		3733 Florida		Paul B.
5. Denise Phillips	4/6/15	3536 Virginia	64109	Denise Phillips
6. Jaya Phillips	4/6/15	" " "		Jaya Phillips
7. Jessica C. Brown	4-6-15	3711 Forrest Ave.	64109	Jessica C. Brown
8. Dorris Fyama	4-7-15	4592 16 th St. Kir.	64110	DORRIS FYAMA
9. Mary Ann Williams	4-7-15	1216 E 41 st	64110	MARY ANN WILLIAMS
10. Richard Parker III	4-7-15	1214 E 41 st		RICHARD B PARKER III

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Sandra Hayes
Circulator's Signature

Subscribed and sworn to before me this 7th day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

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tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

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It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

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Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0359 05/06/2017 12:44:17

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

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Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

I, SANDORA HAYES, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>Charles R. Hampton</i>	4-7-15	3533 Paseo Blvd KCMO	64109	CHARLES R. HAMPTON
<i>Edueka Cook</i>	4-7-15	3612 Paseo Blvd KCMO	64109	Edueka Cook
<i>Darryl Butler II</i>	04-7-15	4039 Woodland KCMO	64110	DARRYL BUTLER
<i>Samantha Eppenauer</i>	4-7-15	1214 Manheim Rd KCMO	64109	SAMANTHA EPPENAUER
<i>Ben Kittrell</i>	4-7-15	1214 Manheim Rd KCMO	64109	Ben Kittrell
<i>Tulanda Irving</i>	4-7-15	3761 Paseo KCMO	64109	Tulanda Irving
<i>Bessie O. Mays</i>	4-7-15	3621 S. 710 th	64109	Bessie O. Mays
<i>Schneberly</i>	4-7-15	214 N 5 th	64101	Schneberly
<i>Carol King</i>	4-7-15	3714 Wayne	64109	Carol King
<i>Dora McBee</i>	4-7-15	4017 PASEO	64110	DORA MCBEE

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Sandra Hayes
Circulator's Signature

Subscribed and sworn to before me this

Pamela C. McDonald
(NOTARY PUBLIC)

2015

[SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

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SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

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tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

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C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

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Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

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The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0360 05/06/2017 PM 12:44:20

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Marilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
Lloyd Fields	7500 E. 110 th Street, Kansas City, MO 64134
Rodney Williams	1104 W. 101 st Terrace Apt. C, Kansas City, MO 64114
Tex Sample	4219 N. Jarboe CT., Kansas City, MO 64116
Wallace S. Hartsfield	2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

I, SANDRA Hayes, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>Carolyn E. Turner</i>	4/7/15	4021 PASEO	64110	CAROLYN E. TURNER
<i>Anita B. Malott</i>	4/7/15	3515 Virginia	64109	ANITA B. MALOTT
<i>Rachael Coffman</i>	4/7/15	3922 Paseo Blvd	64110	Rachael Coffman
<i>Esther Fangman</i>	4/7/15	3741 Forest Ave	64109	Esther Fangman
<i>Tonya Nixon</i>	4/7/15	3715 Woodland Ave	64109	Tonya Nixon
<i>Carol Worley</i>	4/7/15	3911 Trag Ave	64110	Carol T. Worley
<i>Deborah West</i>	4/7/15	4100 Paseo Blvd	64110	DEBORAH WEST
<i>Earl W. Garner</i>	4/7/15	3704 Michigan	64109	EARL W. GARNER
<i>Rakeema Holt</i>	4/7/15	3817 Paseo	64109	Rakeema Holt
<i>Daisy E. Smith</i>	4/7/15	3604 WAYNE	64109	DAISY E. SMITH

signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Sandra Hayes
Circulator's Signature

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI

Jackson County

My Commission Expires: 5/22/2017
Commission # 13504912

Subscribed and sworn to before me this 6 day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC)

[SEAL]

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0361 05/06/2017 PM 12:44:23

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
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The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

<u>Rev. Samuel E. Mann</u>	<u>3665 Harrison Blvd, Kansas City, MO 64109</u>
<u>Lloyd Fields</u>	<u>7500 E. 110th Street, Kansas City, MO 64134</u>
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Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

I, SAUNDRA HAYES, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<u>Erwin Williams</u>	<u>4-7-15</u>	<u>1216 E. 41st St</u>	<u>64110</u>	<u>ERVIN WILLIAMS</u>
<u>Leola Harris</u>	<u>4-7-15</u>	<u>1216 E. 41st St</u>	<u>64110</u>	<u>LEOLA HARRIS</u>
<u>Catherine T. Id</u>	<u>4/7/15</u>	<u>3827 - Perea</u>	<u>64109</u>	<u>Catherine T. Id</u>
<u>John Cooper</u>	<u>4-7-15</u>	<u>9 D 30 Woodland</u>	<u>64110</u>	<u>John COOPER</u>
<u>Marina Heppler</u>	<u>4-7-15</u>	<u>3741 Forest Ave</u>	<u>64109</u>	<u>Marina Heppler</u>
<u>Susie McGee</u>	<u>4/7/15</u>	<u>3551 Flora</u>	<u>64109</u>	<u>Susie McGee</u>
<u>Charles E Bell</u>	<u>4/7/15</u>	<u>3921 Flora</u>	<u>64110</u>	<u>Charles E Bell</u>
<u>Robert Johnston</u>	<u>4-7-15</u>	<u>3730 WOODLAND</u>	<u>64109</u>	<u>ROBERT JOHNSTON</u>
<u>Robert Vogel-Lentung</u>	<u>4-7-15</u>	<u>3728 Tracy</u>	<u>64109</u>	<u>Robert Vogel Lentung</u>
<u>Stan Vogel-Lentung</u>	<u>4-7-15</u>	<u>3728 Tracy</u>	<u>64109</u>	<u>Stan Vogel-Lentung</u>

I signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Sandra Hayes
Circulator's Signature

Subscribed and sworn to before me this 7 day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

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This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

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A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

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tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

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A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

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PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0362 05/06/15 12:44:34

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

The following five electors of the City, as the Committee of Petitioners, shall be regarded as filing the Petition:

Rev. Samuel E. Mann	3665 Harrison Blvd, Kansas City, MO 64109
Lloyd Fields	7500 E. 110 th Street, Kansas City, MO 64134
Rodney Williams	1104 W. 101 st Terrace Apt. C, Kansas City, MO 64114
Tex Sample	4219 N. Jarboe CT., Kansas City, MO 64116
Wallace S. Hartsfield	2843 Benton Blvd., Kansas City, MO 64128

Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

I, Jeremy Long, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>Eddie Flackes Jr</i>	4-7-15	2918 E 33rd St	64128	EDDIE FLACKES JR
<i>Betty A. Flackes</i>	4-7-15	2918 E 33rd St	64128	Betty A. Flackes
<i>Columbus E Miles</i>	4-7-15	2627 E 33rd	64128	COLUMBUS E MILES
<i>Lothe Soley</i>	4-7-15	2537 Campbell E	64108	Lothe Soley
<i>ERICKA SATLIFE</i>	4-7-15	6222 E 109th	64134	ERICKA SATLIFE
<i>Barbara Fournier</i>	4-7-15	2017 E. Linnwood Blvd #503	64109	Barbara Fournier
<i>Roger Fournier</i>	4-7-15	2017 E Linnwood Blvd #503	64109	ROGER FOURNIER
<i>Tamara Blain</i>	4/6/15	8031 W. 11th	64109	TAMARA BLAIN
<i>Linda Macroe</i>	4-7-15	2651 E 34th St Apt 24	64128	Linda Macroe
<i>Gerald Armstrong</i>	4/7/15	3342 Olive	64109	GERALD ARMSTRONG

I signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Jeremy Long
Circulator's Signature

Subscribed and sworn to before me this 7th day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC) (SEAL)

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING A LIVING WAGE WITHIN THE CITY OF KANSAS CITY, MISSOURI; SPECIFYING EMPLOYERS SUBJECT TO THE LIVING WAGE; MAKING FINDINGS AS TO THE NECESSITY OF A LIVING WAGE; ESTABLISHING A PROHIBITION ON RETALIATION FOR REPORTING VIOLATIONS OF THE LIVING WAGE; PROVIDING FOR REMEDIES AND PENALTIES; PROVIDING THE PROCESS TO BE EMPLOYED UPON COMPLAINTS OF VIOLATIONS; ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, to safeguard the public welfare, health, safety, and prosperity of the people in the City of Kansas City, Missouri, it is essential that working persons earn wages that ensure a decent and healthy life; and

WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

WHEREAS, when businesses do not pay a livable wage the community and taxpayers bear associated costs in the form of increased demand for taxpayer-funded services, including emergency medical services, homeless shelters, and other social services and community-based services; and

WHEREAS, an increase in the minimum wage paid to employees could potentially increase workplace productivity, save costs through reduced employee turnover, boost income for families, restore work/family balance, enhance the local tax base, and reduce certain health care costs; and

WHEREAS, the Council now desires to adopt an ordinance to increase the Minimum Wage to be provided to employees working in the City of Kansas City, Missouri;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COUNSEL:

SECTION 1 - AUTHORITY.

This Ordinance is enacted pursuant to its general police powers and the authority to provide for the general health and welfare of its citizens as established by the Missouri Constitution, Article VI, Section 19(a), giving a charter city all powers which are consistent with the Missouri Constitution and that are not limited or denied by the City of Kansas City, Missouri Charter or by statute.

SECTION 2 - DEFINITIONS.

A. "Apprentice" means a person bound to serve another for a specified time in order to learn some art, trade, profession, or business;

B. "Base wage" means the minimum hourly rate of compensation that an employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips shall be paid pursuant to this Ordinance;

C. "Commission" means a payment based on a percentage of the value of sales or other business done;

D. "Living wage" means the minimum hourly rate of compensation that an employee shall be paid; and

E. "Tip" means a gratuity earned by an employee for providing good service.

SECTION 3 - APPLICABILITY.

A. This Ordinance shall be effective within the corporate limits of the City of Kansas City, Missouri, established by Article 1, Section 101 of the Kansas City, Missouri Charter.

B. Employees of the City of Kansas City, Missouri shall be paid the living wage established by Section 5 of this Ordinance. However, the provisions of this subsection are expressly limited by and subject to collective bargaining agreements between the City of Kansas City, Missouri and any bargaining unit.

C. As of the effective date of this Ordinance, contracts entered into by the City of Kansas City, Missouri for services, including construction services, shall require the contractor to pay the living wage established by this Ordinance.

D. Businesses required by the City of Kansas City, Missouri to have a business license from the City of Kansas City, Missouri shall pay the living wage established by this Ordinance.

E. For purposes of identifying who shall be paid the living wage established by this Ordinance, all individuals employed in the corporate limits of the City of Kansas City, Missouri, whether on a part-time, full-time or temporary basis, shall be considered to be an employee for purposes of this Ordinance. Also considered an employee for purposes of this Ordinance are contingent or contracted workers, and persons working through a temporary service, staffing or employment agency or similar entity. However, the following shall not be considered employees entitled to the living wage established by this Ordinance:

(1) An individual employed by the United States, the State of Missouri or any political subdivision of the State other than by the City of Kansas City, Missouri;

(2) An individual engaged in the activities of an educational, charitable, religious or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis;

(3) Apprentices in a registered apprentice program recognized by the State of Missouri or the Federal Bureau of Apprenticeship and Training, as well as any apprentice participating in an apprenticeship program providing significant instructional and practical experience and offered by the City of Kansas City, Missouri.

(4) Temporary employees of an educational, charitable or religious youth camp or retreat where room and board are provided to the employee, or if a day camp, where board only is provided. To qualify under this exemption the employer must hold a valid certificate issued annually by the Director of the Missouri Department of Labor pertaining to exemption of seasonal employees;

(5) Any employee that is the parent, spouse, child or other member of the employer's immediate family; for purposes of this subsection, the employer shall include the principal stockholder of a family corporation;

(6) Interns working for a business for academic credit in connection with a course of study at an accredited school, college or university; and

(7) Persons working for a business in connection with a court-ordered community service program.

SECTION 4 - FINDINGS.

A. The City Council finds that the public welfare, health, safety and prosperity of citizens of the City of Kansas City, Missouri requires that citizens be paid a living wage sufficient to ensure a decent and healthy life;

B. The City Council finds that establishing a mandatory minimum hourly wage will promote the public welfare, health, safety and prosperity by ensuring that citizens can better support and care for their families through their own efforts;

C. The City Council finds that when businesses do not pay adequate wages, the community bears the cost in the form of increased demand for taxpayer-funded social services;

D. The City Council finds that it is in the public interest to require that employers benefiting from the opportunity to do business in the City of Kansas City, Missouri pay employees a living wage that is adequate to meet the basic needs of living in the City of Kansas City, Missouri.

SECTION 5 - LIVING WAGE PAYMENT REQUIREMENTS.

A. Except as provided in subsection B, the living wage paid to an employee not excluded as set forth above, shall be ten dollars (\$10.00) per hour, effective September 1, 2015. Beginning September 1, 2017, the living wage shall be increased by \$1.25 each year thereafter for the next four years. The City of Kansas City, Missouri shall post the living wage established by this Ordinance on its website after this Ordinance becomes effective and at least ninety (90) days prior to each adjustment of the living wage.

B. An employee who customarily and regularly receives more than thirty dollars (\$30.00) a month in tips and/or commissions shall be paid at least a base wage equivalent to sixty percent of the living wage established by this Ordinance. Initially the base wage rate shall be six dollars (\$6.00). That wage will increase simultaneously and proportionately with each living wage increase. The employer may consider tips and commissions as part of wages, but the tips and commissions combined with the employer's payment of wages to the employee shall not equal less than the living wage as provided in subsection A of this section. In the event an employee earns insufficient

tips and/or commissions combined with the base wage to receive a wage at least equal to the living wage established by this Ordinance, the employer shall pay the employee the difference to ensure the employee receives a wage equal to the living wage established by this Ordinance. All tips received by such employee shall be retained by the employee, except that nothing in this section shall prohibit the pooling of tips among employees. Where employees practice tip pooling or splitting (as where staff give a portion of their tips to bus persons), only the amount actually retained by each employee shall be considered part of that employee's wages.

SECTION 6 - PROHIBITION AGAINST RETALIATION AND CIRCUMVENTION.

It shall be unlawful for any employer or employer's agent or representative to discharge, demote, deny promotion to or in any way discriminate against an employee in the terms or conditions of employment in retaliation for the person asserting a claim or right pursuant to this Ordinance or assisting another person to do so.

SECTION 7 - REMEDIES AND PENALTIES.

A. A person violating this Ordinance shall be subject to a fine of \$500. Any person violating any of the requirements of this Ordinance shall be guilty of a separate offense for each day or portion thereof and for each worker or person as to which any such violation has occurred.

B. The City, any individual aggrieved by a violation of this Ordinance, or any entity whose members have been aggrieved by a violation of this Ordinance, may bring a civil action in a court of competent jurisdiction to restrain, correct, abate or remedy any violation of this Ordinance and, upon prevailing, shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation including, without limitation, reinstatement, the payment of any wages due, an additional amount as liquidated damages equal to twice the amount of any wages due, injunctive relief, and reasonable attorney's fees and costs.

C. The remedies provided in this Ordinance are not exclusive, and nothing in this Ordinance shall preclude any person from seeking any other remedies, penalties, or relief provided by law.

SECTION 8- PROSPECTIVE APPLICATION.

Nothing in this Ordinance shall be deemed to nor shall be applied in such a manner so as to have a constitutionally prohibited effect as an ex post facto law or impairment of an existing contract within the meaning of the Missouri Constitution, Article 1, Section 13.

SECTION 9 - SEVERABILITY.

The requirements and provisions of this Ordinance are severable. In the event that any requirement, provision, part, subpart or clause of this Ordinance, or the application thereof to any person or circumstance, is held by a court of competent jurisdiction to be invalid or unenforceable, it is the intent of the Council that the remainder of the Ordinance be enforced to the maximum extent possible consistent with the objective of ensuring a living wage.

SECTION 10 - NOTICE POSTING.

Any holder of a City of Kansas City, Missouri business license shall, as a condition of obtaining or holding a business license, post and display in a prominent location next to its business license a notice that the business is in compliance with the provisions of this Ordinance and shall include the text of Sections 3 and 5 of this Ordinance. Failure to comply with this Section shall be construed as a violation of this Ordinance and, in addition, shall be considered grounds for suspension, revocation, or termination of the business license.

SECTION 11 - PROCEDURE.

A complaint form for use in reporting violations of this Ordinance shall be available on the City webpage for use in reporting violations.

SECTION 12 - EFFECTIVE DATE.

This Ordinance shall become effective the later of September 1, 2015 or sixty (60) days after its adoption by the City Council.

It is unlawful for anyone to sign any initiative petition with any name other than his or her own, or knowingly to sign his or her name more than once for the same measure for the same election, or sign a petition when such person knows he or she is not a registered voter, or encourage anyone to do so.

PETITION FOR INITIATIVE TO ESTABLISH A LIVING WAGE IN THE CITY OF KANSAS CITY, MISSOURI

0363 05/06/27 PM 12:44:40

To: Mayor and Council City of Kansas City, Missouri &
The Honorable Marilyn Sanders
City Clerk of Kansas City, Missouri
25th Floor, City Hall
414 East 12th Street
Kansas City, Missouri 64106

Phone: (816) 513-3360
Fax: (816) 513-3353
E-mail: Mayilyn.Sanders@kcmo.org

The undersigned, being duly registered voters of the City of Kansas City, Missouri, respectfully request that the Code of Ordinances of the City of Kansas City, Missouri, be amended to enact a new Section establishing a living wage within the City of Kansas City, Missouri; specifying employers subject to the living wage; making findings as to the necessity of a living wage; establishing a prohibition against retaliation for reporting violations of the living wage; providing for remedies and penalties; providing the process to be employed upon complaints of violations; establishing severability; and providing an effective date; and that it be submitted to the qualified voters of the City of Kansas City, Missouri, for their approval or rejection at the next municipal, state, or general election, or as may otherwise be provided by law. A copy of the proposed Ordinance is attached hereto.

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Each of the undersigned agrees that this Petition may be filed in counterparts, without the presentation of other signed counterparts to those who have signed below. Any questions or comments regarding this Petition may be directed to Rev. Samuel E. Mann.

State of Missouri)
County of Jackson)

I, Jerry Long, being duly sworn, under oath state that the following person, to wit:
Circulator's Printed Name

Name (signature)	Date Signed	Registered Voting Address	Zip Code	Name (printed or typed)
<i>Sakem Rasheed</i>	4-7-15	4705 NE 65 th St	64119	Sakem Rasheed
<i>Yvette Ridge</i>	4-7-15	3441 Agnes Ave	64128	Yvette Ridge
<i>Rochelle Mitchell</i>	4-7-15	6753 E. Linnwood	64128	Rochelle Mitchell
<i>Clyde Redmond</i>	4-7-15	3320 Flora KCMO	64109	Clyde Redmond
<i>Wesley Reed</i>	4/7/15	3317 Paseo Blvd	64109	Wesley Reed
<i>Lamika R. Fisher</i>	4/7/15	4831 Vineyard	64130	Lamika R. Fisher
<i>Reginald Jones</i>	4-7-15	3102 Olive #302	64109	Reginald Jones
<i>Billy Jones</i>	4-7-15	3212 South Benton Ave	64128	Billy Jones
<i>Lola Mayfield</i>	4-7-15	1806 E 75 th St	64132	Lola Mayfield
<i>John R. Black</i>	4-7-15	3220 Montgall	64128	John R. Black

I signed the foregoing petition paper and each of them signed his or her name thereto in my presence. I believe that each has stated his or her name and address correctly, has signed the petition only once, and that each signer is an elector of Kansas City, Missouri.

Jerry Long
Circulator's Signature

Subscribed and sworn to before me this 6 day of April, 2015

Pamela C. McDonald
(NOTARY PUBLIC) [SEAL]

PAMELA C. McDONALD
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: 5/22/2017
Commission # 13504912

ORDINANCE NO. _____

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WHEREAS, a number of Kansas City, Missouri families live below the poverty level, and many who are employed do not earn sufficient wages to be self-sufficient; and

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