

OCA# 132019

(First published in *The Wichita Eagle*, on October 14, 2016)

ORDINANCE NO. 50-333

AN ORDINANCE CREATING SECTION 10.01.010 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO ENFORCEMENT PROCEDURES BY CITY ENGINEER.

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

SECTION 1. Section 10.01.010 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

**“Enforcement Procedures by City Engineer”**

- (a) With the exception of Chapters 10.24 and 10.36, whenever an officer charged with enforcement of Title 10, determines that there has been a violation of any provision of this Title, he or she shall serve or cause to be served a notice upon such person, and, if different, the owner of record of the property, requiring compliance with the provisions of this code within no more than thirty (30) days of the date of such notice. Such notice(s) will be served through first-class mail, postage prepaid and certified, to the last known address of such person(s) or by personal service.
- (b) Hearing. Any person affected by the assessment of an administrative fine or penalty by the City Engineer, as set forth in this Title, who believes that the assessment is contrary to the policies and regulations of the City, may request and shall be granted an informal hearing on the matter before the Director of Public Works and Utilities. Any request for a hearing shall be filed within ten days after the day that the notice of assessment of the penalty was served. At such informal hearing, the aggrieved person shall be given an

opportunity to be heard and to show why such notice should be modified or withdrawn. The informal hearing shall be held no later than ten business days after the request for hearing was filed, unless a request to postpone the date has been made by the aggrieved party.

- (c) After such hearing, the Director of Public Works and Utilities or his designated representative may sustain, modify or withdraw the assessment. Such determination shall be made in writing, within thirty (30) days of the hearing and be served upon the aggrieved party. If the Director or designated representative sustains or modifies such penalty, it shall be deemed to be an order.
- (d) Appeal. Any person, official or governmental agency dissatisfied with any order or determination of the Director of Public Works and Utilities may appeal such order or determination to the City Council within ten (10) days of the issuance of the order. An appeal taken to the City Council shall be conducted in accordance with the provisions of Section 2.04.235 of the Code of the City of Wichita.

SECTION 2. This ordinance shall be included in the Code of the City of Wichita, Kansas,  
and shall be effective upon its passage and publication once in the official City paper.

PASSED by the governing body of the City of Wichita, Kansas this 11th day of October,  
2016.

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Jeff Longwell, Mayor

ATTEST:

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Karen Sublett, City Clerk

Approved as to Form:

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Jennifer L. Magaña  
City Attorney and Director of Law