

(First published in The Wichita Eagle, April 29, 2016)

ORDINANCE NO. 50-176

AN ORDINANCE AMENDING SECTION 1.04.060 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO GENERAL PENALTY AND CONTINUING VIOLATIONS, AND REPEALING THE ORIGINAL THEREOF.

AN ORDINANCE CREATING SECTION 1.04.205 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO THE ENFORCEMENT OF ORDINANCES BY THE CITY ENGINEER.

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

SECTION 1. Section 1.04.060 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

**“General penalty; continuing violations, offset.”**

When in this Code or in any ordinance or any rule or regulation promulgated by any officer or agency of the City under authority vested in that entity by law or ordinance, any act is prohibited or is declared to be unlawful or a misdemeanor or the doing of any act is required, or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefore, the violation of any such provision of this Code, or any such ordinance, rule or regulation shall be punished by a fine of not more than twenty-five hundred (2,500) dollars. Each day any violation of this Code or any such ordinance, rule or regulation continues shall constitute a separate offense.

Notwithstanding any other ordinance, provision, rule, code, or regulation of the City, any amount owed to a business contractor, individual, or any other entity, regardless of nature, may be offset by the amount owed by that business, individual, or entity to the City as a fee, fine, penalty, or any other cost.

SECTION 2. Section 1.04.205 of the Code of the City of Wichita, Kansas, is hereby created to read as follows:

**“Enforcement of code by City Engineer.”**

The City Engineer and the Engineer's designees shall have the power of a law enforcement officer for the purpose of signing or serving a complaint and a notice to appear upon any person when the Engineer or the Engineer's designee has probable cause to believe such person has or is violating an ordinance that the Engineer has the responsibility to enforce.

SECTION 3. The original of Section 1.04.060 of the Code of the City of Wichita, Kansas, is hereby repealed.

SECTION 4. 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 26th day of April, 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 Magaña  
Director of Law and City Attorney