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ORDINANCE NO. 52-561

AN ORDINANCE AMENDING SECTIONS 1.04.200 AND 5.24.010 OF THE CODE OF THE CITY OF WICHITA AND CREATING 4.04.015 PERTAINING TO CITY DEPARTMENTS AND AUTHORITY TO ENFORCE CITY CODES.

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

SECTION 1. Section 1.04.200 of the Code of the City of Wichita, is hereby amended to read as follows:

“Sec. 1.04.200 - Enforcement of Code by Metropolitan Area Building and Construction Department.

The Director of the Metropolitan Area Building and Construction Department and his or her designee, hereafter “Director”, shall have the power of a law enforcement officer for the purpose of signing a complaint and serving said complaint and a notice to appear upon any person where the Director or his or her designee has probable cause to believe such person has or is violating a section of the Code of the city when such violation has occurred or is occurring in the presence of the Director or his or her designee, and where the Director has the responsibility of enforcing such ordinance. All references throughout this Code to the “Superintendent of Central Inspection” or “Office of Central Inspection” shall be construed to mean the Director of the Metropolitan Area Building and Construction Department or his or her designee. Any duties and responsibilities granted to the “Superintendent of Central Inspection” by this Code shall be applicable to the Director of the Metropolitan Area Building and Construction Department and his or her designee.”

SECTION 2. Section 4.04.015 of the Code of the City of Wichita, is hereby created to read as follows:

“Sec. 4.04.015 - Enforcement of Title 4 by commissioned law enforcement officers not employed by City of Wichita.

Any law enforcement officer commissioned by the State of Kansas has the legal authority to sign and serve a notice to appear for a violation of Title 4 upon any person when there is probable cause to believe such person has violated or is violating any provision of the title occurring within the city limits of Wichita. A written agreement granting such authority is required between the City of Wichita and the law enforcement agency.”

SECTION 3. Section 5.24.010 of the Code of the City of Wichita, Kansas is hereby amended to read as follows:

“Sec. 5.24.010 - Disorderly conduct.

Disorderly conduct is one or more of the following acts that the person knows or should know will alarm, anger or disturb others or provoke an assault or other breach of the peace:

- (a) Engaging in brawling or fighting; or
- (b) Disturbing an assembly, meeting, or procession, not unlawful in its character; or
- (c) Using fighting words.

As used in this section, 'fighting words' means words that by their very utterance inflict injury or tend to incite the listener to an immediate breach of peace.

Every person convicted of violating this section shall be punished by imprisonment of a term not to exceed 30 days or a fine of not more than \$500.00 or both such imprisonment and fine.

SECTION 4. The originals of Sections 1.04.200 and 5.24.010 of the Code of the City of Wichita, Kansas, are hereby repealed.

SECTION 5. 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.

ADOPTED at Wichita, Kansas, 15TH day of October, 2024.

Lily Wu, Mayor

ATTEST:

Jamie Buster, City Clerk

Approved as to form:

Jennifer Magaña
City Attorney and Director of Law